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"UNITED FRONT" TECHNIQUE OF THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH CONGRESS

SECOND SESSION

APRIL 24, 25, 26, 27, 1962

INCLUDING INDEX

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Committee on Un-American Activities

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COMMITTEE ON UN-AMERICAN ACTIVITIES

United States House of Representatives

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(Exhibits reproduced during hearings appear in a separate committee publication entitled *Report and Appendix: "United Front" Technique of the Southern California District of the Communist Party.*)

[1] Report and Testimony of Robert Carrillo Ronstadt, entitled *The Communist Party's Cold War Against Congressional Investigation of Subversion* released by committee October 10, 1962.

[2] Report and Testimony of Albert J. Lewis and Steve Roberts, entitled *Communist and Trotyskyist Activity within the Greater Los Angeles Chapter of the Fair Play for Cuba Committee*, released by committee November 2, 1962.

Public Law 601, 79th Congress

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

Rule X

SEC. 121. STANDING COMMITTEES

* * * * * * *

17. Committee on Un-American Activities, to consist of nine Members.

Rule XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

(q)(1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * * * *

Rule XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

Sec. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 87TH CONGRESS

House Resolution 8, January 3, 1961

* * * * * * *

Rule X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * * * *

(r) Committee on Un-American Activities, to consist of nine Members.

* * * * * * *

Rule XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * * * *

27. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

"UNITED FRONT" TECHNIQUE OF THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

TUESDAY, APRIL 24, 1962

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

EXECUTIVE SESSION [1]

A subcommittee of the Committee on Un-American Activities met at 9:00 a.m., in Room 519, United States Federal Building, Los Angeles, California, Honorable Clyde Doyle (chairman of the subcommittee) presiding.

Subcommittee members: Representatives Clyde Doyle, of California; Edwin E. Willis, of Louisiana; William M. Tuck, of Virginia; Gordon H. Scherer, of Ohio; and August E. Johansen, of Michigan.

Subcommittee members present: Representatives Clyde Doyle, William M. Tuck, Gordon H. Scherer, and August E. Johansen.

Staff members present: Frank S. Tavenner, Jr., director, and William A. Wheeler, investigator.

Mr. DOYLE. The committee will be in order.

Please raise your right hand and be sworn.

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DOBBS. Yes.

Mr. DOYLE. Be seated.

TESTIMONY OF BEN DOBBS, ACCOMPANIED BY COUNSEL, FRED OKRAND

Mr. TAVENNER. You are Mr. Dobbs?

Mr. DOBBS. Yes.

Mr. TAVENNER. What is your full name?

Mr. DOBBS. Ben Dobbs.

Mr. TAVENNER. Will counsel accompanying you state his name and address for the record?

Mr. OKRAND. Yes. Fred Okrand, O–k–r–a–n–d, 257 South Spring Street, Los Angeles.

Mr. TAVENNER. When and where were you born, Mr. Dobbs?

Mr. DOBBS. I was born February 23, 1912, in the city of New York.

Mr. TAVENNER. Where do you now reside?

Mr. DOBBS. 1529 Highpoint, Los Angeles.

[1] Released by the committee and ordered to be printed.

Mr. TAVENNER. When did you come to the State of California to make it a place of your residence?

Mr. DOBBS. I believe it was in the early part of 1920.

Mr. TAVENNER. Will you give the committee, please, a brief statement of your formal educational training?

Mr. DOBBS. I went to grade school, junior high school, high school, and about 2½ years of the university at UCLA and University of California.

Mr. TAVENNER. What is your present employment?

Mr. DOBBS. I am going to refuse to answer that question.

Mr. TAVENNER. May I have a direction that the witness answer the question?

Mr. DOYLE. Will you read the question, reporter, please?

(Record read.)

Mr. DOYLE. What is your answer to that?

Mr. DOBBS. I am going to refuse to answer that question but would like to give the grounds for refusal to answer the question.

First, I don't see the pertinency of the question—as I don't see the pertinency of the question.

Mr. DOYLE. I instruct you to answer the question.

Mr. DOBBS. I refuse to answer on the grounds of the failure to see the pertinency of the question and, secondly, I refuse to answer on the grounds that whatever answer I give may incriminate me—in other words, on the fifth amendment.

Mr. TAVENNER. Mr. Chairman, inasmuch as the witness has raised a question as to the pertinency, I think it would be well for you to make your opening statement for the benefit of the other committee members as well as for the witness at this time.

Mr. DOYLE. Very well, I will read the statement.

[Reading:]

Let the record show that the Honorable Francis E. Walter, chairman, Committee on Un-American Activities, appointed a subcommittee to conduct these hearings consisting of Representatives Edwin E. Willis, William M. Tuck, Gordon H. Scherer, August E. Johansen, and myself, Clyde Doyle, as chairman, all of whom are present with the exception of Representative Willis. The order of appointment will be set forth in the record at this place:

APRIL 19, 1962.

To: Mr. FRANK S. TAVENNER, Jr.,
Director, House Committee on Un-American Activities:

Pursuant to the provisions of the law and the Rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Honorable Clyde Doyle as Chairman, and Honorable Edwin E. Willis, Honorable William M. Tuck, Honorable Gordon H. Scherer and Honorable August E. Johansen as associate members, to conduct a hearing in Los Angeles, California, Tuesday, April 24, 1962, at 10:00 a.m., on subjects under investigation by the Committee and take such testimony on said days or succeeding days, as it may deem necessary.

Please make this action a matter of Committee record.

If any Member indicates his inability to serve, please notify me.

Given under my hand this 19th day of April, 1962.

(S) FRANCIS E. WALTER, *Chairman,*
Committee on Un-American Activities.

The committee resolutions adopted January 17, 1962, authorizing these hearings adequately set forth the subjects and purposes. The resolution controlling the first phase of the hearings is as follows:

> BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States, and that the staff of the Committee be authorized to conduct investigations deemed reasonably necessary in preparation for said hearings.

At the time of the adoption of the resolution the staff of the committee was working with me in the preparation of a bill amending the Internal Security Act of 1950 in a manner designed to make unlawful membership in the Communist Party. This bill was introduced by me on January 30, 1962, bears the designation of H.R. 9944, and was referred to the Committee on Un-American Activities.

The committee has information indicating organized efforts of members of the Communist Party of the United States to evade compliance with the registration provisions of the Internal Security Act of 1950. The committee in considering the propriety and necessity of recommending legislation in line with H.R. 9944 believes it important to ascertain the recent and present strategy and tactics of the Communist Party in this highly sensitive and important area of the country.

The subcommittee has determined that these hearings will be held in executive session.

Mr. DOYLE. I think, Witness, that clearly sets forth why we are here, and clearly sets forth that this question by our counsel is pertinent for the subject matter of this investigation and these hearings.

Mr. DOBBS. May I consult with my attorney for a moment?

Mr. DOYLE. Yes, indeed.

Mr. TAVENNER. All right, now, will you answer the question, please?

Mr. DOBBS. I still refuse to answer the question on the grounds I don't see what the pertinency is in spite of the statement.

I am going to refuse to answer on the grounds of the first amendment, that it obviously is an effort to pry into my associations, and also on the fifth amendment of the Bill of Rights.

Mr. TAVENNER. Mr. Dobbs, do you recall an occasion when the Committee on Un-American Activities conducted a hearing in Los Angeles on September 2nd, 3rd, 4th, and 5th of 1958 and then again on February 24th and 25th of 1959, after which it issued a report on those hearings entitled *Report on the Southern California District of the Communist Party: Structure—Objectives—Leadership*, which was released April 3, 1959? Do you recall it?

Mr. DOBBS. No, not particularly.

Mr. TAVENNER. Have you read the report that I mentioned that had been issued by the committee based on those hearings?

Mr. DOBBS. Not to my best knowledge and belief.

Mr. TAVENNER. Let me read to you a paragraph appearing on page 30 of the report, the title of which is "Dobbs, Ben."

Dobbs is administrative secretary for the Communist Party's Southern California District as well as a member of the executive board of the Southern California District Council.

Now, let me interpolate.

I will want to ask you the question as to whether any statement that is made in here is erroneous and now I will continue to read:

He attended three Communist Party conventions during the first quarter of 1957: the Los Angeles County conference on January 5–6, the California State convention on January 19–20, and the Southern California District convention on April 13–14. Dobbs joined the Communist Party November 14, 1933, at the age of 21. His first activity was in the Young Communist League. In 1938 he was State administrative secretary for the Young Communist League. In 1948, 1949, and 1950 he was labor secretary, Communist Party, Los Angeles County. Dobbs was arrested in September of 1951 for violation of the Smith Act and convicted on August 5, 1952 of conspiring to teach and advocate violent overthrow of the United States Government. The sentence received by Dobbs, 5 years in prison and $10,000 fine, was appealed to the Supreme Court. The Supreme Court reversed the decision of the lower courts and Dobbs was granted a new trial. The indictment was subsequently dismissed upon recommendation of the United States attorney. He was born on February 23, 1912 in New York.
Occupation: clerk.

Now, will you tell the committee, please, whether any statement contained in that report relating to you is in error?

Mr. DOBBS. I am going to refuse to answer that question on the grounds already stated, namely, on the first and fifth amendment.

Mr. TAVENNER. You had seen this statement relating to you prior to today, had you not?

Mr. DOBBS. Just as I said, I just don't recall it.

Mr. TAVENNER. Let me ask you this question: Didn't you take pains to read this report and the hearings upon which it was based?

Mr. DOBBS. I just don't recall any distinct thing about this report being distinct from others.

Mr. TAVENNER. Let me see if I can refresh your recollection.

Isn't it a fact that, as a result of these hearings and the report based upon them, you instituted an investigation within the Communist Party to ascertain how the committee acquired the information as reflected in the report? Doesn't that refresh your recollection?

Mr. DOBBS. I am going to have to refuse to answer that question on the grounds as previously stated.

Mr. TAVENNER. But doesn't it refresh your recollection?

Mr. DOBBS. I still refuse to answer the question on the previous grounds.

Mr. TAVENNER. You refuse to answer the question whether my statement to you refreshes your recollection or not?

Mr. DOBBS. That's right.

Mr. TAVENNER. Then, let me ask you whether you did not, in fact, conduct such an investigation?

Mr. DOBBS. I am going to refuse to answer that question on the grounds as previously stated.

Mr. TAVENNER. Will you tell the committee, please, whether there have been some rather drastic changes in the structural organization of the Communist Party since the hearings—I mean the Communist Party in Southern California—since the hearings to which I refer?

Mr. DOBBS. Would you repeat the question, please?

Mr. TAVENNER. Yes. Is it a fact that there have been drastic changes in the organizational structure of the Communist Party in Southern California since April 3, 1959, when the report mentioned was issued by this committee?

Mr. DOBBS. I am going to refuse to answer that question on the grounds as previously stated.

Mr. TAVENNER. Is the Southern District of California still a separate district of the Communist Party?

Mr. DOBBS. I am refusing to answer that question on the same grounds.

Mr TAVENNER Is it correct that the northern most counties in the Southern District of the Communist Party of California are Kern and Santa Barbara Counties and the eastern boundary is the State of Nevada and the State of Arizona and that the southern boundary is Mexico; is that not correct?

Mr. DOBBS. I am giving the same answer.

Mr. TAVENNER. In the report issued by this committee on April 3, 1959, it was shown that the Southern California District of the Communist Party was originally broken down into 28 sections. The number of sections was subsequently reduced to 26, and I would like to ask you to confirm that the 26 sections had the following titles: Needle Trades Section, Cultural Section, Professional Section, Zapata Section, Miscellaneous Industrial Section, Building Trades Section, Silverlake Section, Echo Park Section, Beverly-Fairfax Section, Whittier Section, 57th Assembly District Section, Boyle Heights-City Terrace Section, San Gabriel Valley Section, Valley 21st Congressional District Section, Valley 22d Congressional District Section, Bay Cities Section, Pasadena Section, Harbor Section, Centinella or 46th Assembly District Section, Compton Section, Moranda Smith Section, San Bernardino County and Riverside County Section, Orange County Section, Ventura-Santa Barbara Section, San Diego County Section, and 58th Assembly District Section.

Now, my question is: Is that a correct statement of the 26 sections?

Mr. DOBBS. May I smoke?

Mr. DOYLE. Yes, if you wish.

Mr. DOBBS. I am going to refuse to answer that question on the grounds as previously stated.

Mr. DOYLE. Off the record for a minute.

(Discussion off the record.)

Mr. DOYLE. Back on the record.

Mr. TAVENNER. Mr. Dobbs, under the structural organization of the Communist Party as it existed on April 3, 1959, was there constituted a District Council composed of two delegates from each section making 52 delegates and, in addition, 10 who were known as the Executive Board?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Mr Dobbs, the investigation of the committee reveals that the names of the Executive Board members and their positions during the period 1959–61 were as follows, and I will want to ask you whether in your judgment there is any error: Dorothy R. Healey, district chairman; Ben Dobbs, meaning yourself, executive secretary; Bill Taylor, chairman, Negro Commission; Charlene Mitchell, chairman, Youth Commission; Solomon P. Monroy, chairman, Mexican Commission; John Kykyri, chairman, Press Com-

mission; Pettis Perry, chairman, Minorities Commission; Nemmy Sparks, chairman, Political Commission; Hugh DeLacy, chairman, Education Commission; Bernard Lusher, chairman, Labor Commission.

Now, would you answer the question, please?

Mr. DOBBS. No, I will refuse to answer on the grounds of, as previously stated.

Mr. TAVENNER. Our investigation shows further that Sophie Silver replaced Mr. Lusher as chairman of the Labor Commission.

Now, will you tell the committee, please, whether this District Council, consisting of the two delegates from each of the 26 sections and 10 executive members, is still in existence?

Mr. DOBBS. I am going to refuse to answer that question on the same grounds.

Mr. TAVENNER. The committee's investigation discloses that there was a District Convention held by the Southern California District of the Communist Party which met in two separate sessions. One began November 20th and adjourned November 22nd, 1959, and the second session began January 29th and adjourned on the 31st of January, 1960.

Will you tell the committee, please, why that convention was held in two sessions so far apart?

Mr. DOBBS. No, I am going to refuse to answer that question on the same grounds.

Mr. TAVENNER. Isn't it a fact that it was divided into two sessions because the National Convention of the Communist Party was to be held in December 1959, so that you would have a pre-National Convention session and a post-National Convention session?

Mr. DOBBS. Well, the same answer.

Mr. TAVENNER. Were you a delegate to the convention—and when I am referring to the convention, without further describing it, I mean the Second Convention of the Southern California District of the Communist Party rather than to repeat it each time.

Were you a delegate to the convention?

Mr. DOBBS. I will give the same answer. I refuse to answer the question on the grounds previously stated.

Mr. TAVENNER. Were you a delegate to the National Convention which met in December of 1959?

Mr. DOBBS. The same answer.

Mr. TAVENNER. At the District Convention was it not determined that the 62-member council was too unwieldy and in order to operate efficiently, the number of members should be substantially decreased?

Mr. DOBBS. What?

Mr. TAVENNER. I say isn't it true?

Mr. DOBBS. I will give the same answer.

Mr. TAVENNER. Did not this same convention decide to change the name from "District Council" to "District Committee"?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Did not that convention consolidate a number of these sections so that you would have 20 sections in all instead of 26?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. Was it not decided that each section should have one delegate to the District Committee and, in addition, that

there should be 10 persons constituting an Executive Board, thus making a District Committee of 30 members?

Mr. DOBBS. The same answer.

Mr. TAVENNER. After this convention, which began in November 1959, were not the following sections the only recognized sections of the Communist Party in Southern California, or, in other words, were they not reduced in number to the following: Needle Trades, Juarez, Boyle Heights, Pasadena, Centinella or 46th Assembly District, City Terrace, 24th Congressional District, Bay Cities, Beverly-Fairfax, Far East, Monterey Park, Valley, Moranda Smith, Professional and Cultural, Long Beach, Compton, Building Trades, San Gabriel, Miscellaneous Trade Unions, and San Diego?

The committee's investigation in 1958 reflected that the council meetings were required to be held every 6 weeks.

Will you tell the committee whether, in the reorganization that took place in 1959, the District Committee was required to meet every month?

Mr. DOBBS. I am going to refuse to answer that question on the grounds as previously stated.

Mr. TAVENNER. Were the meetings of the District Committee called by Dorothy Healey, the chairman?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Mr. Dobbs, you are aware of the fact, are you not, that on June 5, 1961, the Supreme Court of the United States held provisions of the Internal Security Act of 1950 requiring a registration of the Communist Party and its members to be constitutional, you are aware of that, are you not? That was in the case of the *Communist Party of the United States* v. *Subversive Activities Control Board.*

Mr. DOBBS. I will give the same answer to that.

Mr. TAVENNER. What did you do immediately after that decision came down?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Didn't you immediately go through the form of severing your connection with the Communist Party and with Hugh DeLacy's help, become an employee of the firm he works for?

Mr. DOBBS. Same answer.

Mr. TAVENNER. What business was Hugh DeLacy engaged in at that time?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Isn't it true that immediately after June 5 these various section organizations of the Southern California District of the Communist Party were technically dissolved?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Was this done in an effort, on the part of local members of the Communist Party and, particularly, the leadership of it, to evade the provisions of the Internal Security Act of 1950?

Mr. DOBBS. The same answer.

Mr. TAVENNER. The committee's investigation shows, and I want to ask you whether or not it is a fact, that four of the members of the Southern California District's Executive Board; namely, yourself, Dorothy Healey, Charlene Mitchell and William Taylor, continue to function as a top executive body and continue to direct and coordinate the work of the Communist Party members in the Southern District of California?

Mr. DOBBS. Same answer.

Mr. TAVENNER. In the interest of party security has not the Communist Party in the Southern District of California removed from its jurisdiction and supervision party activity in San Diego County?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Isn't it true that the work of the party in sections of the party is now being carried on by party bodies known as "Coordinating Councils"?

Mr. DOBBS. The same answer.

Mr. TAVENNER. Isn't it also correct that these councils are now composed of the chairmen of the respective clubs having a common geographical area and each council controls and represents not more than four clubs?

Mr. DOBBS. The same answer.

Mr. TAVENNER. Is it not true that for security purposes these councils do not hold regular meetings but convene only at the call of the district executives, such as yourself, for the purpose of receiving directives which are handed down to you?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Mr. Chairman, the staff has succeeded in procuring a number of documents which were used in the 1959 session of the Convention of the Southern California District of the Communist Party and also the one in January 1960, which is the last convention that has been held according to the committee's information.

Mr. DOYLE. You mean Communist Party convention documents?

Mr. TAVENNER. Yes.

Mr. DOYLE. Official documents of that convention?

Mr. TAVENNER. Yes, sir.

The first document is identified on its face as the "Call to the Second Convention of the Southern California District, Communist Party, U.S.A."

I would like to offer it in evidence and ask that it be marked Dobbs Exhibit 1.[1]

Mr. DOYLE. It will be received and so marked.

Mr. TAVENNER. Mr. Dobbs, will you look at this document and advise the committee whether delegates to this District Convention were selected by the system described in it?

Mr. DOYLE. Let the record show that the witness and his counsel are inspecting that document, Exhibit 1.

Mr. TAVENNER. Now, will you answer the question, please?

Mr. DOBBS. I will give the same answer, Mr. Tavenner.

Mr. TAVENNER. The Call states that each party club is entitled to at least one convention delegate. The document further states that clubs are entitled to one delegate for every eight members in the club, so that clubs with large memberships may send additional delegates.

Each section organization of the party is also authorized to send a delegate to the District Convention.

Were all 26 of the sections represented at the convention?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Will you advise the committee how many party clubs there are within the Southern California District of the Communist Party?

[1] See committee *Report and Appendix, "United Front" Technique of the Southern California District of the Communist Party*, p. 40.

Mr. DOBBS. Same answer.

Mr. TAVENNER. The committee from its investigation has learned that you summarized the status of the party organization in Southern California in a speech at the Second District Convention. Did you not state that there were approximately 60 party clubs in Los Angeles and the five outlying counties? Did you not make that statement at the Second District Convention?

Mr. DOBBS. The same answer.

Mr. TAVENNER. Is it not true that there were 83 regular or voting delegates at the District Convention in addition to a number of alternate delegates and what were known as fraternal delegates?

Mr. DOBBS. The same answer.

Mr. TAVENNER. What rights do alternate and fraternal delegates enjoy at the conventions?

Mr. DOBBS. The same answer.

Mr. TAVENNER. Mr. Chairman, I offer in evidence Dobbs Exhibit No. 2, which is a document entitled "Proposed Rules." [2]

Mr. DOYLE. It will be so received and so marked.

Mr. TAVENNER. Mr. Dobbs, will you examine the document, please, Exhibit 2, and state whether or not these rules governing procedures at the convention were adopted on the second day of the convention, namely, November 21, 1959?

Mr. DOYLE. Let the record show that the witness and his counsel are inspecting Exhibit No. 2.

Mr. TAVENNER. Now, will you answer the question, please?

Mr. DOBBS. I am sorry, I was reading the document, I didn't get the question.

Mr. TAVENNER. Were not these rules governing procedures at the convention adopted on the second day, November 21, 1959?

Mr. DOBBS. I will refuse to answer that question on the grounds as previously stated.

Mr. TAVENNER. Do not these rules specify that alternate delegates may speak at the convention but may not vote unless a regular delegate is absent?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Is it not true that, according to these rules, fraternal delegates are also permitted to speak at the convention but do not have voting rights?

Mr. DOBBS. Same answer.

Mr. TAVENNER. I desire to offer in evidence Exhibit 3, which is a report of the District Board to the District Convention by Dorothy Healey.[3]

Mr. DOYLE. It is so received and so marked.

Mr. TAVENNER. The Second Convention, Mr. Chairman, of the Southern California District was officially opened with District Chairman Healey's delivery of this report on November 20, 1959, according to the committee's investigation, and I would like to verify that point through this witness, if he will.

Was it opened by the making of this report by Dorothy Healey?

Mr. DOBBS. I am going to refuse to answer the question on the same grounds.

[2] Ibid., p. 41.
[3] Ibid., p. 42.

Mr. TAVENNER. Mr. Dobbs, Mrs. Healey reported that you and other members of the District Executive Board unanimously endorsed the line of a draft resolution prepared and circulated by the national Communist Party leaders and proposed for adoption at the 17th National Convention in December 1959.

From her discussions of its contents it is clear that the Board was approving the main political resolution, the most important National Convention resolution, laying down overall policy and strategy for Communists throughout the United States.

Will you verify that as a fact?

Mr. DOBBS. I will refuse to answer that question on the same grounds.

Mr. TAVENNER. Mrs. Healey's report, which I have before me, takes note of her Communist Party club's observation that the resolution from the national office contains an awful lot of "musts" but not many "hows." However, Mrs. Healey states her report to the Southern California District Convention would deal instead with the "whys" of the resolutions, by which she has reference to the *necessity* for the policy and strategy laid down in the national draft resolution.

The Southern California District Convention on the following day, November 21, 1959, immediately approved the main line of this important draft resolution, did it not?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. In recently concluded hearings conducted by the Committee on Un-American Activities in Washington on the nationwide organization and functioning of the Communist Party, U.S.A., the committee received testimony substantiated by the published complaints of Communist Party members themselves that delegates to national conventions do not actually help to formulate party policy and strategy.

The evidence showed that conventions have chiefly a rubber-stamp role, approving policies and strategies already decided on in advance by the top national leadership clique.

As I have pointed out, Mrs. Healey's report stresses unanimous district approval of the resolution to be adopted at the national convention in spite of the lengthy list of "musts" or duties spelled out for Communist Party members in the resolution and her report was confined to justifying the national leadership's decisions.

Can you give us any example of an independent contribution from the Southern California District leadership and its Second Convention to policies enunciated at the subsequent 17th National Convention of the party?

Mr. DOBBS. Same answer.

Mr. TAVENNER. As a matter of fact, did not the national party leadership in 1959 rebuff efforts made by you and other Southern California District Communist Party leaders to have some voice in the selection of your area representative on the top National Committee of the Communist Party, U.S.A.?

Mr. DOBBS. Same answer.

Mr. TAVENNER. I would like to introduce as Exhibit No. 4 a series of so-called pre-convention resolutions which were submitted for possible action at the first session of the Southern California District Convention in November 1959.[4]

[4] Ibid., p. 45.

Mr. Doyle. It will be so received and so marked.

Let the record show the witness and his counsel are inspecting Exhibit 4.

Mr. Tavenner. These resolutions vary in subject matter as well as source. Some are listed as originating with the Southern California District Board. Others as the recommendations of particular sections or clubs within the district. The resolutions are numbered from 1 through 34.

I will want to consider some of those items before our examination is terminated, but I have no other questions on that particular document at this moment.

Mr. Chairman, I would also like to introduce at this time as Exhibit No. 5 four documents from the November 1959 session of the District Convention dealing with constitutional and organizational matters and identified on their face as:

"Report of the District Pre-Convention Committee on Constitution, Organization, and By-Laws," which we will designate as 5–A.[5]

"Discussion and Proposals Regarding Article V, Section 5," which we will designate as 5–B.[6]

"Proposals on the Preamble to the Constitution," which we will designate as 5–C.[7]

"Proposals on the Right of Dissent," which we will designate as 5–D.[8]

Mr. Doyle. They will be received and so marked.

Mr. Tavenner. Mr. Dobbs, I ask you to examine these documents and I ask you whether or not they were submitted for consideration at the November 1959 session of the Second Convention of the Southern California District of the Communist Party?

Mr. Doyle. Let the record show the witness and his counsel are examining the exhibit.

Mr. Dobbs. Did you ask me a question in reference to those last four exhibits?

Mr. Tavenner. Yes. The question was whether or not those four documents were submitted to the first session in November of 1959 of the convention of the Communist Party for Southern California for its consideration.

Mr. Dobbs. I am going to refuse to answer that question on the same grounds.

Mr. Tavenner. Mr. Dobbs, the committee is aware that up to the time of the 16th National Convention of the party in 1957, membership on the National Committee, that is, the top leadership body of the Communist Party, was selected at national conventions. In 1957 the so-called "revisionists," such as John Gates, who were shocked by the exposure of Stalin's crimes, demanded the introduction of some democratic procedure in the party organization. The group, which John Gates represented, for the moment seemed to have the ascendancy and it obtained certain changes in the constitution, including the right of district conventions such as the convention you were holding here in 1959, to select two-thirds of the membership of the National Committee. It also obtained the privilege of exercising

[5] Ibid., p. 77.
[6] Ibid., p. 82.
[7] Ibid., p. 83.
[8] Ibid., p. 84.

a new right in the Communist Party, which was termed the "right of dissent."

Now, that was the action taken at the National Convention of the party in 1957.

Recent committee hearings have demonstrated that such revisionist forces were ousted from control of the national party organization early in 1958 after a bitter leadership struggle, and a rigidly disciplined, autocratic party operation was restored.

It is very interesting to follow the nature of the fight that was conducted, but we haven't time to go into that here.

As the documents before your convention in November 1959 clearly show—I am referring particularly to the documents constituting Exhibits 4 and 5—the dominent national leadership of the Communist Party did not even wait until the 17th National Convention of the party in December 1959 to begin enforcing the traditional paramilitary principles of operation within the party.

A referendum was conducted by the National Committee a few months before the National Convention seeking membership approval of a return to the pre-1957 policy of selecting all National Committee members at national conventions. As a result, before your district convention convened in November 1959, the National Committee announced that the change had already been approved and put into effect.

Is that not a correct analysis of the situation that confronted the Communist Party here in November 1959?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. Won't you agree that the general opposition expressed at your convention to the new method of selecting national officers was just wheel-spinning because it had already been decided by the national leadership even before you held a convention?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Is it not a fact, Mr. Dobbs, that this autocratic change made by the leadership, national leadership of the Communist Party, gave the dominant national leadership absolute control over the makeup of top national bodies of the Communist Party in this country?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. It appears from these convention documents that district organizations not only do not help formulate party policy, but also do not even have any real voice in determining the composition of policy-making national bodies. The Communist Party's constitution still asserts that every member of the Communist Party "who is in good standing has the right to participate in the making of its policies and in the election of its leading committees, officers and delegates," but actually such right is not recognized in practice, is it?

Mr. DOBBS. I am refusing to answer that question on the same grounds.

Mr. TAVENNER. Well, you have made an effort to try to make the Communist Party follow at least some democratic procedures, haven't you?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. You won't take credit for that? I am trying to give you credit for it.

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. The party's constitution, then, does not square with actual party practices, does it?

Mr. DOBBS. Same answer.

Mr. TAVENNER. From reports and resolutions at the Second Convention of the Southern California District party organization it appears that district and lower-level functionaries were very unhappy about the loss of power to elect representatives to the National Committee, isn't that so?

Mr. DOBBS. Same answer.

Mr. TAVENNER. May we have a short break now?

Mr. DOYLE. Yes, the committee will stand in recess for 5 minutes.

Mr. TAVENNER. Fine.

(Short recess.)

Mr. DOYLE. Let the committee reconvene and let the record show that all four members of the subcommittee are present and the witness and his counsel.

Mr. TAVENNER. Mr. Dobbs, the investigation by the committee reflects that the first resolution described and set forth in Exhibit 4, which consists of a series of pre-convention resolutions, was submitted by the Southern California District Board to the November 1959 session of the District Convention, and this resolution expresses the firm belief of the District Board that the principle of electing some members of the National Committee directly from the district should be retained, notwithstanding that the national leadership had already decided the question to the contrary.

As the documents in Exhibit 5 reflect, this was also the view of the majority of the party's section representatives who attended the pre-convention meetings of the Southern California Districts' Pre-Convention Committee on Constitution, Organization, and By-Laws. This pre-convention committee agreed with the District Board on the desirability of electing some National Committee members in the district.

During the 1959 session of the District Convention, the convention's Constitution and Organization Committee also endorsed the idea and submitted it to the convention for action.

So, you had a demand coming from many different directions in your convention to insist upon the election of top leadership representatives by the districts.

Now, did the convention take action on this proposal, Mr. Dobbs?

Mr. DOBBS. I am going to refuse to answer on the same grounds, Mr. Tavenner.

Mr. TAVENNER. We note that among the pre-convention resolutions submitted to the convention, Resolution No. 4, as set forth in Exhibit No. 4, was presented from the West Pico Club and Resolution No. 5 from Club No. 2, both clubs being identified as within the Beverly-Fairfax Section of the party.

The West Pico Club resolution calls for "censure" of the National Committee for taking a referendum on a "policy change of great significance" just a few weeks prior to the National Convention and for giving a "totally confused and distorted presentation of the nature of the referendum, and its causes."

Club No. 2 in the Beverly-Fairfax Section reported: "An overwhelming majority of the members of our club voted 'No' on the National Referendum" and "We feel that any delegates directly responsible to the membership is good."

The club likewise criticized the National Committee for presenting the issue in the referendum in an obscure manner without including the pros and the cons.

Did the Southern California District delegation make known its strong opposition during the party's 17th National Convention in December of 1959?

Mr. DOBBS. Same answer.

Mr. TAVENNER. You were a delegate to that convention, were you not?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. I would like to examine for a moment the attitude of party leaders at the Southern California District Convention toward another change in the constitution of the Communist Party, U.S.A. In this case I refer to constitutional changes which had been proposed by the national party leadership in a draft resolution submitted to the various party districts. Final action was not scheduled until the party's 17th National Convention in December 1959. The proposed changes included a deletion from Article IV of the constitution of the right of party clubs and sections to conduct elections for the purpose of naming their own representatives on state and district committees of the party.

A direct voice in the selection of state and district leaders had been granted to party clubs and sections at the 16th National Convention in 1957. This was during the party leadership dispute, when John Gates asserted himself.

The change proposed by the national party office in 1959 sought to restore the traditional method of selecting state and district officers at state and district conventions.

Was not this change, Mr. Dobbs, another step in the direction of restoring the autocratic and bureaucratic method of party operation which prevailed before factional differences divided the party—and by "factional differences" I am referring to those precipitated by Khrushchev's revelations of Stalin's brutal tyranny?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. Why is it, Mr. Dobbs, the many reports and resolutions of convention committees which have been introduced as exhibits do not express approval or disapproval of this important change which would obviously make the district leadership less responsive to the will of the lower-level party organizations?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Was the leadership, that is, the district leadership, concerned solely with its own ability to obtain influence in the national organization of the Communist Party?

Mr. DOBBS. I am refusing to answer that question on the same grounds, Mr. Tavenner.

Mr. TAVENNER. The 17th National Convention of the party subsequently formally voted to end the right of lower-level party organizations to directly elect members of the state and district committees of the Communist Party, did it not?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Mr. Dobbs, I now hand you a copy of the proposed new by-laws for the Southern California District of the Communist Party which were submitted to delegates at the second session of the District Convention and which were formally approved by

them on January 31, 1960, and ask that they be admitted in evidence and marked Exhibits 6–A[9] and 6–B.[10]

Mr. DOYLE. It will be so received and so marked.

Mr. TAVENNER. And I call your attention particularly to Exhibit 6–B.

Mr. DOYLE. Let the record show the witness and his counsel are examining the last exhibits offered by counsel.

Mr. TAVENNER. Were these by-laws adopted by the convention as stated?

Mr. DOBBS. I am going to refuse to answer that question on the same grounds.

Mr. TAVENNER. These new by-laws clearly show that the method of selecting district leaders has been changed to conform with the proposal by the national leadership formally ratified at the 17th National Convention, do they not?

Mr. DOBBS. Same answer.

* * * * * * *

Mr. TAVENNER. I would like to take up one other important constitutional change proposed by the national party leadership and scheduled for final action at the 17th National Convention. I have in mind the proposal to eliminate from the constitution the right of Communist Party members to dissent.

Do you remember back in 1957, after the revelation by Khrushchev of Stalin's crimes, the National Committee attempted to put over on the public of the United States the impression that it was taking a different attitude and it included in the new constitution a provision recognizing the right of dissent, which had never existed before in the Communist Party?

The constitutional language permitting party members to dissent from decisions which have been made is found in Article VI, Section 1, of the party constitution and, as I said, had been introduced at the 16th National Convention of the party held in February 1957. It represented an innovation in the sense that it resulted from pressure brought by the "revisionists," who temporarily held a majority, for a very short time, in the top national leadership of the party.

Convention documents already in evidence as Exhibit No. 5 shows that the District Pre-Convention Committee on Constitution, Organization, and By-Laws, as well as the subcommittee of the Convention Committee on Constitution and Organization, approved the removal of this "right of dissent."

Is it not a fact that District Chairman Dorothy Healey also spoke on the convention floor on November 22, 1959, in behalf of eliminating the right to dissent within the party?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Yet Dorothy Healey, your chairman, in the First District Convention in April 1957, spoke out rather strongly, did she not, for maintaining the right to dissent? In fact, she herself dissented and caused a great disturbance within your local Communist Party and the party almost ousted her from leadership, didn't it?

Mr. DOBBS. Are you asking me a question?

Mr. TAVENNER. Yes.

Mr. DOBBS. I refuse to answer on the same grounds.

[9] Ibid., p. 85.
[10] Ibid., p. 89.

Mr. TAVENNER. The committee is informed that this constitutional change was also formally ratified at the 17th National Convention of the Communist Party.

Mr. Dobbs, do you not consider this a warning to all Communist Party members that differences of opinion must be suppressed in favor of lock-step obedience to party directives emanating from the national party organization?

Mr. DOBBS. I am going to refuse to answer that question, too, on the same grounds.

Mr. TAVENNER. Mr. Chairman, I offer in evidence Dobbs Exhibit 7 entitled "To the Conventions of the Pacific Coast." [11]

Mr. DOYLE. It will be received and so marked.

Mr. SCHERER. Your statement, Mr. Tavenner, about the organization being against the right of dissent is interesting when you sum up the placards being carried by some of the pickets outside the hearing today. They are complaining about the deprivation of the right to dissent.

Mr. TAVENNER. And yet that right to dissent, which was written into the constitution of the Communist Party in 1957, has been abolished.

Mr. SCHERER. It would be interesting if some of those young people who are carrying those signs would be aware of that fact, wouldn't it?

Mr. TAVENNER. It certainly would.

Mr. SCHERER. Especially since they are having their right to dissent out there this morning.

Mr. TAVENNER. Mr. Dobbs, I hand you this exhibit and ask you whether you recognize it as a directive to the conventions of the Pacific Coast from the National Executive Committee of the Communist Party, U. S. A.

Mr. DOYLE. Let the record show that the witness and his counsel are examining the exhibit just offered and received.

Mr. TAVENNER. In this communication, Mr. Dobbs, the National Executive Committee congratulates Communists on the Pacific Coast and other "Left Progressives" for sustaining publication of the *People's World*. The communication makes a point of explaining that when the *People's World* was conceived in 1938, the National Committee of the party had agreed with Pacific Coast Communists that the publication should bear a "united front" character.

Now, this united front character of the *People's World* was a matter of constant irritation to a number of local Communists, was it not?

Mr. DOBBS. I refuse to answer that question.

Mr. TAVENNER. These local Communists objected to the newspaper's practice of printing some articles which are "vaguely progressive" in outlook and at times even "friendly" to capitalist elements. They scoffed at the idea that inclusion of such articles in the *People's World* would increase the party's ability to obtain cooperation from non-Communist groups. Instead of making such concessions in the name of a "united front" policy, the *People's World* should emulate *The Worker*, they said; present only the official Communist view of news events and issues; and propagandize more

[11] Ibid, p. 91.

militantly for a change-over to a Communist system in the United States. Doesn't that describe the situation pretty well?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. JOHANSEN. Have you finished with references to the *People's World*?

Mr. TAVENNER. No, there will be quite a bit here.

Mr. JOHANSEN. All right.

Mr. TAVENNER. The National Committee stressed the need for a publication with such a united front approach in the present day, stating that it is the "best vehicle through which the largest number of workers and others on the Pacific Coast can now be reached with our mass political line."

The National Executive Committee also lauded the *People's World* as one of the "vital institutions" which serve to "extend and cement our united front relationships" and to build up a "new and potent Left Wing."

You see, this line to which the Communist Party leadership referred was the main point in the political resolution, as it was called, the main resolution of the Communist Party in 1959; namely, that they extend the united front influence of the Communist Party.

Mr. Dobbs, was not the utilization of a united front strategy announced as the main task for all Communists in the principal political resolution which was submitted by the national leadership for discussion at district conventions and which was formally adopted at the 17th National Convention?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. JOHANSEN. In view of the matters referred to by counsel concerning the *People's World*, I think it would be appropriate at this point to include in the record those articles in the Saturday, April 21, issue of the *People's World* that relate to these hearings and I so move, Mr. Chairman.

Mr. DOYLE. It will be so received, and marked "Dobbs Exhibits 8A–D." [12]

And along that line did you intend——

Mr. JOHANSEN. All of the articles.

Mr. DOYLE. You intended all of the articles, including the article on the last page?

Mr. JOHANSEN. That's right.

Mr. DOYLE. Page 12, which includes quotes from Mr. Dobbs, the witness, chargeable to Mr. Dobbs.

Mr. TAVENNER. Mr. Dobbs, is not the united front a party tactic for obtaining non-Communist support?

Mr. DOBBS. I refuse to answer that question on the same grounds, particularly, I would say here the first amendment as well as the fifth.

Mr. TAVENNER. Under the united front approach the committee understands that the party openly offers to cooperate with and work with non-Communist organizations and groups on certain goals, such as peace or civil rights, with the hope of eventually manipulating such groups for Communist purposes. In an allied "united front from below" tactic, individual Communists secretly penetrate non-Communist groups and work for immediate goals of the group in order to build up to positions of power and influence which can be turned to the benefit of the party. Would you agree that this is a correct

[12] Ibid,. pp. 93–99.

description of the main strategy of American Communists today, Mr. Dobbs?

Mr. DOBBS. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Is it not also in direct conformity with the statements made by Gus Hall on January 20, 1960, when he imparted that line to the rank and file of the Communist Party?

Mr. DOBBS. Same answer.

Mr. DOYLE. What was Gus Hall's position at that time, Counsel?

Mr. TAVENNER. Gus Hall was the general secretary of the Communist Party, U.S.A.

Mr. SCHERER. And, Mr. Chairman, I believe there was a memorandum by Gus Hall even later in 1960 which emphasized this same united front approach.

Mr. TAVENNER. Yes, I think that the more the activities of the Communist Party are analyzed, the more apparent it will be that it constitutes the main strategy of the Communist Party today.

Mrs. Healey's report for the District Board, which opened the Second Convention of the Communist Party on November 20, 1959, was principally a justification for national leadership policy and dealt extensively with the need for stepping up Communist united front activity, did it not, Mr. Dobbs?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. DOYLE. May I ask the witness a question? Did you add there "on the same grounds"?

Mr. DOBBS. Yes—I didn't, but I will at this time—On the same grounds.

Mr. DOYLE. I didn't hear it.

Mr. SCHERER. So the record will be straight, Mr. Chairman, I would like to ask the witness whether, whenever he says "The same answer" or "I refuse," it is in each instance based on the grounds including the fifth amendment, is that correct?

Mr. DOBBS. Yes.

But I would also like to stress also the first amendment, too, the relation to my political views, et cetera, as not properly before this committee. In other words, I include the fifth amendment.

Mr. DOYLE. We are not asking about your political views, Mr. Dobbs.

Mr. TAVENNER. Mr. Chairman, the report of Dorothy Healey to which I referred is the same as Dobbs Exhibit No. 3 already introduced in evidence.

This report, Exhibit No. 3, stated that the "struggle for the united front" recognizes a great number of persons have been organized by "reformist organizations," and in order for the party to reach those individuals, the Communists must also turn to *"those organizations whose leadership is recognized by the masses."* [Emphasis in original.]

That was a statement by Dorothy Healey.

Her report reminds Communists of the success of their united front strategy in the 1930's. But it takes note of the difficulties faced by the party because it is no longer rallying non-Communists under the slogan of opposition to Fascist dictators abroad, but must convince non-Communists that the main enemy is in America.

Is this a correct summary of the District Board's views, Mr. Dobbs?

Mr. DOBBS. I am going to refuse to answer that question on the same grounds.

Mr. JOHANSEN. Repeat that again.

Mr. TAVENNER. This report reminds the Communists of the success of their united front strategy in the '30's, but it takes note of the difficulties faced by the Communist Party because the party is no longer rallying non-Communists under a slogan of opposition to a foreign entity such as the Fascists' dictatorship abroad, but now they must convince these non-Communists that the main enemy is in America.

That is the purport of this report.

Mr. JOHANSEN. Does it identify this main enemy that is in America?

Mr. SCHERER. It is everything we do and say.

Mr. TAVENNER. Let me have the report, Exhibit No. 3.

Mr. JOHANSEN. Possibly the witness could help us with the answer to that question, if he would.

Mr. TAVENNER. I think it would be well to ask the witness.

Will the witness state, please—excuse me, I think I better look at this first.

Mr. JOHANSEN. On the record, Mr. Chairman, certainly it is implicit in the statement of Mrs. Healey in which she discusses the interest, alleged interest of student groups, that she has addressed—"What a Socialist America Would Be." It is implicit, therefore, that the enemy here is anyone who opposes a Socialist America, whatever else it might be.

Mr. SCHERER. Well, it is obviously, too, one of the chief members of it.

It is obvious that one of the chief enemies of the Communist Party in America to which Mr. Tavenner referred is the Committee on Un-American Activities, and the picketing outside today and the statements on the signs that are carried by the pickets so indicate.

Mr. DOYLE. You went out and saw them, Congressman Scherer, didn't you?

Mr. SCHERER. Yes.

Mr. DOYLE. Why should the Communist Party be opposed to this committee? What is there about this committee that the Communist Party in America is opposed to, may I ask?

Mr. SCHERER. Because we are——

Mr. JOHANSEN. I would like to hear the witness answer that question.

Mr. DOYLE. Well, I am afraid he will just refuse to answer on the same ground.

Mr. DOBBS. You are absolutely right.

Mr. DOYLE. And yet you are a well-qualified witness in my book, Witness. You could help this committee representing the United States Congress to very thoroughly understand.

Mr. SCHERER. The answer is simple. This committee is one of the roadblocks in the way of the Communist Party to subvert the United States from within.

Mr. DOYLE. All right, I think, Mr. Scherer, you will agree with me that there are two other roadblocks, the Senate Internal Security Subcommittee and F.B.I.

Mr. SCHERER. I certainly agree with the statement and that is why the attack of the Communist Party has not only been directed to the Committee on Un-American Activities but the two other agencies you mentioned.

Mr. Doyle. I might also point out that the Internal Security Act of 1950 basically was the product of many years of intensive hearings and study conducted by the Committee on Un-American Activities and its predecessors.

The Subversive Activities Control Board, which was established under this Act as a quasi-judicial body, found that the Communist Party of the United States was an organization operating in this country under Soviet Union control, for the purpose of establishing a Soviet-type dictatorship in the United States, and was hence a Communist-action organization required to register as such.

This order of the SACB was upheld by a majority of the Supreme Court on June 5, 1961.

Mr. Tavenner. Mr. Dobbs, I would like to return for a few moments to the communication to the District Convention from the National Executive Committee which we introduced as Exhibit 7.

In its support of the united front character of the *People's World*, the National Executive Committee makes these interesting statements.

* * * it would be the height of folly for us to * * * [throw] overboard some of the most valuable traditions and traits of the *People's World*. * * *

We also consider it necessary to make it absolutely clear that ever since the birth of the *People's World* we have had a firm understanding with the Pacific Coast Party organizations that just as in the rest of the country it was a primary obligation of Communists to support and build *The Worker*, so on the Pacific Coast it is the primary obligation of Communists to support and build the *People's World*.

This has been our policy. This is our policy. And it takes into account the unique characteristics of the two papers * * *. To put it most directly, we believe it is a primary obligation of our comrades on the Pacific Coast to support and build the *People's World* * * *.

Actually, Mr. Dobbs, was not the National Executive Committee intervening to suppress opposition by a number of California Communists to the line of the *People's World*?

Mr. Dobbs. I am going to refuse to answer that question on the same grounds.

Mr. Tavenner. The pre-convention resolutions submitted to the Southern California District Convention and introduced as Exhibit 4 contain a number of proposals from party clubs and section organizations for a change in the policies of the *People's World*. In general these resolutions urge that the West Coast publication emulate *The Worker* and give more attention to the Communist Party itself. Even the Professional and Cultural Section of the party in Southern California was opposed to the present broad united front coverage of the *People's World*.

Mr. Dobbs. United front what?

Mr. Tavenner. I said, even the Professional and Cultural Section of the Communist Party in Southern California was opposed to the present broad united front coverage of the *People's World*, isn't that true?

Mr. Dobbs. I refuse to answer that question on the same grounds.

Mr. Tuck. Mr. Tavenner, do I understand the *People's World* is the West Coast counterpart or the opposite?

Mr. Tavenner. No, it is a counterpart but seems, on the Communist Party plan, to perform a function that was not being performed by the *Daily Worker*. The Communist Party, according to these reports, was using the *People's World* in a united front approach to the

Communist Party, whereas *The Worker* was more directly confined to the party itself.

Mr. TUCK. The *People's World* dealt with many more activities not directly related to the party than *The Worker* did?

Mr. TAVENNER. That's right, but in carrying out the united front policy of the Communist Party.

Mr. DOYLE. Mr. Tavenner and Members of the Committee, a minute ago I mentioned the decision of the Supreme Court on June 5, 1961.

In the case of the *Communist Party of the United States, Petitioner* v. *Subversive Activities Control Board*, 367 U.S. 1, decided on that date, the Supreme Court upheld the constitutionality of the registration and disclosure provisions of the Internal Security Act of 1950. At page 111 f., the Supreme Court pointed out that the Congress, in 1954, enacted the Communist Control Act, 68 Stat. 775, which declares in its second section:

> The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. . . . [T]he policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. . . . [I]ts role as the agency of a hostile foreign power renders its existence a clear present and continuing danger to the security of the United States. . . .

At page 112, the Supreme Court declared:

> *First:* We have held, *supra*, that the congressional findings that there exists a world Communist movement, that it is directed by the Communist dictatorship of a foreign country, and that it has certain designated objectives, *inter alia*, the establishment of a Communist totalitarian dictatorship throughout the world through the medium of a world-wide Communist organization, § 2 (1), (4), are not open to re-examination by the Board. We find that nothing in this violates due process.

Mr. TAVENNER. Mr. Dobbs, I will return again to the subject of the opposition that has been expressed by local members of the Communist Party to the popular front activity of the *People's World.* The Southern California District Convention, according to its minutes, seems to have devoted considerable time and effort to suppressing this opposition.

The committee is informed that during the convention sessions in January 1960 you, yourself, took the convention floor to extol the virtues of the present *People's World* line.

That is the line that the national leadership wanted it to follow, is that right?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Clarence Hathaway, according to the committee's information, chairman of the important New York State organization of the party and a guest at this convention, also made a speech in behalf of the party's present policy for the publication, did he not?

Mr. DOBBS. I refuse to answer that question on the same ground.

Mr. TAVENNER. And *People's World* editor, Al Richmond, spoke at length on the importance to the party of the *People's World* united front approach, isn't that correct?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Was not a resolution also presented at the January 1960 session in which the Cultural Club of the Professional-Cultural Section approved the strategy of the *People's World* and thus took

issue with the opposition registered earlier by its own section leaders—in other words, there was a division within the section as to how this question should be resolved, isn't that true?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Mr. Chairman, I ask that this resolution and a number of other documents submitted to the Southern California District Convention for the first time at the January 1960 session be introduced as Exhibit 9.

Mr. DOYLE. They will be so received and so marked.

Mr. TAVENNER. They will be listed as 9–A[13] and 9–B.[14]

Mr. JOHANSEN. Off the record for a minute, Mr. Chairman.

Mr. DOYLE. Off the record.

(Discussion off the record.)

Mr. DOYLE. On the record.

Mr. TAVENNER. At its final session on January 31, 1960, the convention adopted a resolution reflecting the views of the National Executive Committee on the *People's World.*

Mr. DOYLE. May the record show that the witness and counsel are examining Exhibits 9–A and 9–B.

Mr. TAVENNER. I now offer in evidence Dobbs Exhibit 10, entitled "Resolution on the People's World." [15]

Mr. DOYLE. It will be so received and so marked.

Mr. TAVENNER. This resolution includes the following:

> We recognize the valuable contributions of The Southern California Committee for the PW as a voice and organizational center to help build broader support for the paper. This committee, formed during the crisis period of the paper when it was fighting for its life, succeeded in mobilizing forces to help save the paper and organized sustained support for it. We pledge go give full support to the So. Calif. Com. in its many-sided mass activities as well as to help build it further.

The resolution then states that district Communists will continue "as a necessary and important participant in the general activities" of the Southern California Committee for the *People's World.*

Now, Mr. Dobbs, is this Southern California Committee an organization dominated by the party but enlisting individuals outside of the party whose Marxist viewpoints and sympathies lead them to cooperate with the party?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. The convention resolution on the *People's World* also admits that the Southern California District leadership made a "mistake" in concentrating all party activity in behalf of the *People's World* on the medium of the Southern California Committee for the People's World.

The resolution pledges to restore, in addition to such activity, its own "press apparatus." Club and section press directors, in other words, will henceforth meet regularly to help resolve *People's World* fund and circulation problems and to increase party utilization of the newspaper.

Mr. Dobbs, it appears that the district leadership has also been prodded by national party leaders into more vigorous application of national policies through the *People's World,* is that not so?

Mr. DOBBS. Same answer.

[13] Ibid., p. 100.
[14] Ibid., p. 103.
[15] Ibid., p. 104.

Mr. DOYLE. Do you add "on the same grounds"?

Mr. DOBBS. Same answer on the same grounds.

Mr. TAVENNER. I believe that is all I am going to ask about the *People's World*.

Mr. JOHANSEN. Mr. Chairman, in connection with this line of questioning in regard to the *People's World*, I direct the attention of the committee to an article on the front page of the Saturday, April 21, 1962, *People's World*, under the title "When the Un-Americans Come West," and with your permission I would like to read two brief paragraphs from that.

Mr. DOYLE. All right.

Mr. JOHANSEN. I am quoting from this article.

> It is at times like these that the specific value of The People's World becomes more manifest. While several large papers in the state have by now expressed doubts about HUAC's operations and methods, they do not fathom the true depths of the committee's evil. Nor do they undertake the task of supporting, encouraging, and dramatizing every form of protest and resistance against the committee.
>
> Here, we submit, is another persuasive reason for ensuring the existence and growth of The People's World, a reason for support to the campaign for $62,500, which is the essential minimum to carry the paper through 1962.

And I ask permission to include the entire article in the record at this time.

Mr. DOYLE. It has been included. (See Dobbs Exhibits 8A–8D.)

Mr. TAVENNER. Mr. Dobbs, when the Southern California District Convention reconvened on January 29, 1960, following the party's 17th National Convention, did not District Chairman Dorothy Healey deliver a lengthy keynote report which specified the kinds of activity on which Southern California Communists should concentrate?

Mr. DOBBS. Same answer and on the same grounds.

Mr. TAVENNER. Mr. Chairman, I hand to the witness a copy of this 14-page report by Dorothy Healey and ask the witness if he can identify it.

Mr. DOYLE. What is the number of the exhibit?

Mr. TAVENNER. I ask that it be introduced as Dobbs Exhibit No. 11.[16]

Mr. DOYLE. May the record show that Exhibit No. 10 was shown to the witness and counsel and was examined and returned.

I didn't have the record show that in regard to Exhibit 10 before. I am doing so now.

Mr. TAVENNER. Beg your pardon?

Mr. DOYLE. May the record show that Exhibit 11 is being examined by the witness and his counsel.

Mr. TAVENNER. And may it be introduced in evidence as Dobbs Exhibit No. 11?

Mr. DOYLE. It will be so received.

Mr. DOBBS. What is the question in reference to this document?

Mr. TAVENNER. Whether you can identify that as a copy of the 14-page report that Mrs. Healey made at the January 29th session, 1960.

Mr. DOBBS. As to whether I can identify it?

Mr. TAVENNER. Yes.

Mr. DOBBS. I refuse to answer that question on the grounds as previously stated.

[16] Ibid., p. 106.

Mr. JOHANSEN. Mr. Chairman, I would like to interject a comment at this point regarding Exhibit No. 4, previously admitted and referred to. This relates to the proceedings of the Southern California District of the Communist Party, the District Convention in November 1959, and I would like to call attention to Resolution No. 26 submitted by the Ed Stone Club of the Moranda Smith Section, a resolution in two parts, and I want to refer to part 1. It seems to me important that it not be lost in the mass of documentations.

It should be borne in mind that this is in November of 1959 and that in the preceding September Mr. Khrushchev was a visitor to the United States.

This resolution—this section reads as follows:

> The visit of Comrade Khruschev [sic] to the United States has given our Party a tremendous opportunity to further its advocacy of socialism. We, therefore, urge that his September 27th speech, in which he outlined what it means to live in a communist society, be reprinted and disseminated as widely as possible.

I think it is important, in view of the efforts to disassociate the Communist Party, U.S.A. from the Communist Party, U.S.S.R. It is highly important that this be highlighted.

Mr. SCHERER. It was the time of the Khrushchev visit that the members of this committee—and I think almost unanimously—opposed the visit of Khrushchev for the very reason it would give to the Communist Party in the United States a shot in the arm, and the material that was just read by Congressman Johansen indicates that the visit of Khrushchev did just that and the Communist Party recognized that it did just that.

Mr. JOHANSEN. And it is undertaking to exploit it to the fullest.

Mr. DOYLE. Thank you, Congressmen Johansen and Scherer. That is very appropriate.

Mr. TAVENNER. Mr. Dobbs, returning to Exhibit No. 11, the 14-page report of Mrs. Healey, I do not intend to question you regarding the many areas of activity dealt with in this report. However, in view of the fact that Mrs. Healey's report to the November 1959 District Convention session admittedly failed to tell local Communists how to carry out policies being proposed by the national leadership, is not the appearance of specific instructions in January an indication the district leadership itself awaited orders from the 17th National Convention of the party before giving such directions?

Mr. DOBBS. Same answer on the same grounds.

Mr. TAVENNER. Was not the main business of the November 1959 session of the Southern California District Convention the approval of various resolutions proposed by the party's national leadership for final action at the 17th National Convention and the selection of delegates to that convention?

Mr. DOBBS. Same answer on the same grounds.

Mr. TAVENNER. In addition to approving the main political resolution proposed by national Communist Party headquarters, did not the November 1959 session also endorse the main line of the national draft resolution formally changing the party line on the Negro question?

Mr. DOBBS. Same answer on the same grounds.

Mr. TAVENNER. And also establishing party strategy in the trade union field?

Mr. DOBBS. Same answer on the same ground.

(Discussion off the record.)

Mr. JOHANSEN. Before we adjourn, and in pursuit of the point I discussed a moment ago, I should like the record also to focus attention on the statement in Exhibit No. 11, the keynote report of Dorothy Healey at the January 29 session of the Second Southern California District Convention of the Communist Party, the statement in her opening paragraph that:

The last six months of the decade [which was in 1959] saw the enormous impact of Kruschev's [sic] visit to the United States, with the significant lessening of world tensions and the greatly enhanced opportunities to guarantee the world of peaceful coexistence.

Mr. SCHERER. For about 2 months tension was relieved.

Mr. TAVENNER. I don't recall if it was that long or a little less.

Mr. DOYLE. Thank you, Congressman Johansen.

Off the record.

(Discussion off the record.)

Mr. DOYLE. Back on the record.

The committee will stand in recess until 1:45 today and we will all return, including the witness who is instructed to return. We will all be here by 1:45 today in this same room.

Mr. TAVENNER. If you will go to the witness room, Mr. Dobbs, we will call you when we are ready to proceed.

Mr. DOYLE. Thank you very much.

(Whereupon, at 11:40 a.m., Tuesday, April 24, 1962, the subcommittee recessed, to reconvene at 1:45 p.m., of the same day.)

AFTERNOON SESSION, TUESDAY, APRIL 24, 1962

(The subcommittee reconvened at 1:45 p.m., Hon. Clyde Doyle, chairman of the subcommittee, presiding.)

Mr. DOYLE. Let the record show the subcommittee reconvened and a quorum of the subcommittee is present. Mr. Scherer is absent for a minute or two, but Messrs. Johansen, Tuck, and Doyle are present and the witness and his distinguished counsel are present.

TESTIMONY OF BEN DOBBS—Resumed

Mr. TAVENNER. I asked a question relating to the changing of the party line on the Negro question. The District Convention endorsed the new Negro line in spite of opposition by a number of Negro Communists in the district, did it not, Mr. Dobbs?

Mr. DOBBS. I am going to refuse to answer that question on the grounds I stated in the early session of the hearing.

Mr. TAVENNER. Mr. Chairman, two long discussion articles opposing the new line were submitted to the November 1959 session of the Southern California District Convention by Mimi Alexander and Cyril Briggs, and I ask that they be introduced in evidence and marked Dobbs Exhibits Nos. 12 [17] and 13.[18]

Mr. DOYLE. They will be so received and so marked.

Mr. TAVENNER. I hand you a document entitled, "Report on Party Youth Work" by Charlene Mitchell and ask you whether or not it is true that the November 1959 session of the District Convention gave its approval to this report?

[17] Ibid., p. 120.
[18] Ibid., p. 131.

Mr. DOYLE. Let the record show the witness and his counsel are examining the exhibits just offered.

Mr. TAVENNER. I desire to offer this document in evidence and ask that it be marked Dobbs Exhibit No. 14.[19]

Mr. DOYLE. It will be so received and so marked.

Mr. DOBBS. In reading the document I didn't get your question, Mr. Tavenner.

Mr. TAVENNER. Was this document approved by the November 1959 session of the District Convention?

Mr. DOBBS. I am going to refuse to answer that question on the same grounds.

Mr. TAVENNER. Wasn't Charlene Mitchell a member of the District Board and head of the District Youth Commission?

Mr. DOBBS. Same answer.

Mr. TAVENNER. I now show you another document described as a "Resolution on the 1960 Elections," which I desire to offer in evidence, and ask that it be marked Dobbs Exhibit No. 15.[20]

Mr. DOYLE. So received and so marked.

Mr. TAVENNER. My question is whether or not this is a report from the District Board presented to the November 1959 session of the convention by Nemmy Sparks?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. Mr. Sparks was chairman of the District Political Commission of the Communist Party, is that not correct?

Mr. DOBBS. Same answer on the same grounds.

Mr. TAVENNER. Here are two other documents, which, according to committee investigation, were submitted to the November 1959 convention, one a "Resolution on Latin America," which I desire to offer in evidence and ask that it be marked Dobbs Exhibit No. 16.[21]

Mr. DOYLE. It will be so received and so marked.

Mr. TAVENNER. And the other is a statement on United States policy toward Latin America endorsed by the Juarez Club, which I will ask be admitted in evidence and marked Dobbs Exhibit No. 17.[22]

Mr. DOYLE. It is so received and so marked.

Mr. TAVENNER. Both of these exhibits, Mr. Dobbs, denounce the United States policy toward Latin America and defend the Cuban revolution, do they not?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. Other resolutions submitted to the November 1959 session of the convention called attention to the presence of an estimated 650,000 Mexicans in Southern California and urged a policy of concentration to develop the party within the Mexican community, organization of classes on Marxism in the Mexican community, and the reestablishment of a District Mexican Commission.[23]

What measures has the district leadership adopted to your knowledge to build up party influence within the Mexican and Mexican-American communities?

Mr. DOBBS. I am going to refuse to answer that question on the grounds as previously stated.

[19] Ibid., p. 145.
[20] Ibid., p. 150.
[21] Ibid., p. 152.
[22] Ibid., p. 155
[23] See Exhibit 4, Resolutions 6, 11, and 16.

Mr. TAVENNER. I hand you two other documents which I will ask to be introduced in evidence and designated as Dobbs Exhibits 18 [24] and 19.[25]

Mr. DOYLE. They will be so received and so marked.

Mr. TAVENNER. Both of these documents are entitled "The Jewish People."

Is not the first of these documents, that is No. 18, a resolution presented to the November 1959 Convention session by Sanford Goldner?

Mr. DOYLE. Let the record show the witness and his counsel examining Exhibits 18 and 19.

Mr. JOHANSEN. Mr. Chairman, should the record not show that Mr. Scherer joined the committee at this point.

Mr. DOYLE. Let the record so show.

Mr. DOBBS. What is your question in relation to these documents?

Mr. TAVENNER. That is whether or not this resolution, which is Exhibit 18, was presented to the session by Goldner?

Mr. DOBBS. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Again does not this first report state that it does not attempt to analyze the role of the party in relation to the problems of the Jewish people, but merely makes general observations on the need for the Communist Party to find ways to achieve influence in the large Jewish population in Southern California?

Mr. DOBBS. Same answer.

Mr. TAVENNER. With respect to Exhibit No. 19, which is the second resolution handed you, was not a Communist action program on the subject recommended by the Jewish panel at the January 1960 session of the District Convention and read to the convention delegates by Sanford Goldner and then finally adopted by the convention on January 31, 1960?

Mr. DOBBS. The same answer as previously given on the same grounds.

Mr. TAVENNER. Does not this resolution adopted by the convention call for strengthening the work of Communists in various broad Jewish community organizations, giving more party support to left-wing Jewish organizations in a united front manner and increasing agitation on the subject of anti-Semitism with the blame to be placed on American foreign policy?

Mr. DOBBS. Same answer, Mr. Tavenner.

Mr. TAVENNER. I now show you three documents submitted to the District Convention, according to the investigation made by the committee, by the Cultural and Professional Section of the Communist Party, Southern California District.

I would like to have them marked Exhibits Nos. 20–A,[26] 20–B,[27] and 20–C.[28]

Mr. DOYLE. Let them be so received and so marked.

Mr. TAVENNER. Would you look at the first two documents, the first of which is entitled "A New Approach to the Draft Resolution" and the second is entitled "Consider Culture in 'Political Affairs.' "

[24] See committee *Report and Appendix, "United Front" Technique of the Southern California District of the Communist Party*, p. 156.
[25] Ibid., p 158
[26] Ibid., p. 161.
[27] Ibid., p. 174.
[28] Ibid., p. 176.

Mr. DOBBS. And what is your question?

Mr. TAVENNER. I haven't asked it yet.

Now, will you look at the third document entitled "Notes on Culture and the Party's Program"?

Mr. DOYLE. Let the record show the witness and his counsel are examining the exhibits just offered.

Mr. TAVENNER. These documents which are in the form of reports and tentative proposals are not formal resolutions; they have a common theme of reminding other Communists that culture is an important weapon for achieving a Communist system in America.

Do you agree with that?

Mr. DOBBS. I am going to decline to answer that question on the grounds as stated.

Mr. TAVENNER. The party's section defines the culture under discussion as literature, drama, movies, television, and radio. It declares that, "*The detailed study and use of culture is an essential part of the Communist Party's life, and it is impossible to deal with American political, social and economic problems without utilizing cultural materials.*" [Emphasis in original.]

Mr. Dobbs, how does the Communist Party utilize the talents of its members in the cultural field to further party objectives?

Mr. DOBBS. Same answer.

Mr. TAVENNER. After the 17th National Convention did not Chairman Healey's keynote report to the District Convention warn that "culture is today a more effective recruiting tool than it ever was in the past"?

Mr. DOBBS. Same answer.

Mr. TAVENNER. This statement is taken from Exhibit 11, which has already been introduced in evidence.

Mrs. Healey declared that the "economics" of the Communist Party was the main appeal during the depression years of the 1930's, but that today with "relative prosperity" it is "cultural humanist values that more and more define the people's attitude toward both domestic and international issues."

She pointed to people's concern for freedom, for better quality TV shows, and so forth, and told the Communists that, "That is where we come in. We know the answers, and our job is to communicate them."

Do you recall that?

Mr. DOBBS. Same answer.

Mr. TAVENNER. The Communist answer, according to Mrs. Healey, is the introduction of a Communist system in the United States. And Mrs. Healey went on to observe that, since communication is the province of the "creative artist," the Communist Party must "make use of his gift of eloquence in emotional communication as fully as we use the special knowledge of the lawyer, teacher and scientist * * *." The role of the party members engaged in cultural endeavors is a very important one according to her. Do you agree with that?

Mr. DOBBS. The same answer.

Mr. TAVENNER. I now hand you a document entitled "The Centennial of the Civil War in the United States," which I ask to be admitted in evidence and marked Dobbs Exhibit No. 21.[29]

[29] Ibid., p. 180.

Mr. Doyle. So received and so marked.

Mr. Tavenner. Mr. Dobbs, was this document submitted to the January 1960 session of the District Convention by the Southern California Education Department of the party?

Mr. Dobbs. I decline to answer that question on the grounds I stated prior—to prior questions.

Mr. Tavenner. Will you verify the fact that it is a proposal for Communists to study the Marxist version of the history of the Civil War and propagate this version by taking part in community programs which were held in 1961 in observance of the centennial of the Civil War in the United States?

Mr. Scherer. I am sorry, Mr. Tavenner, I wasn't paying attention when you read the first sentence. Will you read that over again?

Mr. Tavenner. I asked him to verify the fact that this document is a proposal for Communists to study the Marxist version of the history of the Civil War and propagate this version by taking part in community programs which were held in 1961 in observance of the centennial of the Civil War in the United States.

Mr. Scherer. Did you hear that, Governor?

Mr. Tuck. Yes.

Mr. Johansen. Off the record.

(Discussion off the record.)

Mr. Johansen. Is there anything in the documents you have that would indicate what the Marxist version of the Civil War is?

Mr. Tavenner. I would like to ask the witness to describe the Marxist version of the Civil War.

Mr. Dobbs. And I respectfully decline to answer on the same grounds.

Mr. Tavenner. Mr. Dobbs, I now hand you an unsigned letter addressed to President Eisenhower, which I will ask to be admitted in evidence and marked Dobbs Exhibit No. 22.[30]

Will you admit that in evidence, please?

Mr. Doyle. It will be so received and so marked.

Let the record show that the witness and his counsel are examining the last exhibit.

Mr. Tavenner. This letter urges the President to commute the prison sentence of Morton Sobell, who was convicted for Communist espionage activities.

Mr. Dobbs, is it not a fact this letter was distributed at the January 1960 session of the Southern California District Convention?

Mr. Dobbs. Same answer, Mr. Tavenner.

Mr. Tavenner. Was it not the intent of the party to have many such letters mailed to the President under different signatures in order to give an impression that there was substantial popular sentiment in favor of Sobell's release from prison?

Mr. Dobbs. Same answer, same grounds.

Mr. Tavenner. Will you also look at this District Convention document, which is entitled "Draft Declaration of Aims and Tasks," subheading entitled "*The Nature of the Communist Party*," another subheading entitled, "*Peaceful Coexistence*," another "*Progress in a Peacetime Economy*," another "*The Defense of Democracy*," another

[30] Ibid., p. 182.

"*The American Road to Socialism*," another "*Our Socialist Potential*," which I offer in evidence and ask be marked Dobbs Exhibit No. 23.

Mr. DOYLE. It will be so received and so marked.

Let the record show the witness and his counsel are examining Exhibit 23.

Mr. TAVENNER. Mr. Dobbs, is this one of the draft resolutions proposed by the national Communist Party organization for formal action at the 17th National Convention?

Mr. DOBBS. Same answer.

Mr. SCHERER. May we interrupt and go off the record?

(Discussion off the record.)

Mr. TAVENNER. Mr. Chairman, I would like the document, Exhibit No. 23, to be retained in the committee files rather than made a part of the committee record.

Mr. DOYLE. It will be so ordered.

Mr. TAVENNER. Mr. Dobbs, is not this document on party organization another draft resolution submitted to the District Conventions and scheduled for action at the 17th National Convention?

Mr. DOBBS. I am going to decline to answer that question on the same grounds.

Mr. JOHANSEN. Mr. Chairman, at this point, to clarify the record, the 17th Convention that is referred to is the National Convention of the Communist Party, U.S.A.?

Mr. TAVENNER. Yes, held in December 1959.

(Document marked "Dobbs Exhibit No. 23" and retained in committee files.)

Mr. TAVENNER. I offer in evidence a document entitled "Resolution on Party Organization" and ask that it be marked Dobbs Exhibit No. 24 for retention in the committee files.

Mr. DOYLE. It will be so received and so marked.

Let the record show the witness and counsel are examining Dobbs Exhibit 24.

Mr. DOBBS. What is your question in relation to this particular document?

Mr. TAVENNER. There was no question.

(Document marked "Dobbs Exhibit No. 24" and retained in committee files.)

Mr. TAVENNER. Mr. Dobbs, I now refer you to Exhibit 22, which you may recall is the letter distributed to the convention delegates asking clemency for Morton Sobell. Will you tell the committee, please, whether the Communist Party in Southern California has agitated or sponsored demonstrations for the release of Sobell?

Mr. DOBBS. I refuse to answer that question on the same grounds.

* * * * * * *

Mr. TAVENNER. Is the Los Angeles Committee for Protection of Foreign Born under the control of the Communist Party?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Is it not a fact that Rose Chernin is executive director of the Los Angeles Committee for Protection of Foreign Born?

Mr. DOBBS. I didn't get your question.

Mr. TAVENNER. Is it not correct that Rose Chernin is the executive director of the Los Angeles Committee for Protection of Foreign Born?

Mr. DOBBS. Same answer as previously stated and on the same grounds.

Mr. TAVENNER. Are you aware that Rose Chernin was a delegate to the Communist Party convention that we have been discussing?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Will you tell the committee, please, whether the Communist Party directs and controls the programs of the American Russian Institute?

Mr. DOBBS. I decline to answer that question on the grounds as previously stated.

Mr. TAVENNER. Is Reva Mucha Zwolinski executive director of the American Russian Institute?

Mr. DOBBS. Same answer.

Mr. TAVENNER. Was she not a delegate to the convention, the District Convention, the Second District Convention?

Mr. DOBBS. Same answer.

Mr. DOYLE. Same grounds?

Mr. DOBBS. On the same grounds, yes.

Mr. OKRAND. I would suppose it wouldn't be necessary to repeat that each time.

Mr. DOYLE. I notice sometimes the witness adds "on the same grounds" and sometimes he doesn't add it.

Mr. SCHERER. Really it should be "I refuse to answer for the same reason" because you are not giving an answer.

Mr. DOBBS. That is the answer, I refuse to answer for the same reasons.

Mr. TAVENNER. "For the same reason." If you express it that way, we understand what you mean.

Mr. SCHERER. Isn't it proper to say, "I refuse to answer for the same reason," rather than "Same answer," because it isn't an answer but a refusal to answer.

Mr. TAVENNER. That is right.

Are you familiar with the Constitutional Liberties Information center of Los Angeles?

Mr. DOBBS. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Is Reuben W. Borough chairman of that organization?

Mr. DOBBS. I decline to answer that question on the grounds as previously stated.

* * * * * * *

Mr. TAVENNER. What part does the Communist Party play in the Fair Play for Cuba Committee? [31]

Mr. DOBBS. I refuse to answer that question on the grounds as previously stated.

Mr. SCHERER. Witness, do you know whether or not the Communist Party plays any part in connection with the Fair Play for Cuba Committee?

Mr. DOBBS. I am going to refuse to answer that question on the same grounds.

Mr. TAVENNER. Isn't it a fact that the Communist Party supports it wholeheartedly?

[31] See testimony of Albert Jorgenson Lewis and Steve Roberts, taken in Los Angeles, Calif., Apr. 26 and 27, 1962, respectively, and committee report printed separately under title *Communist and Trotskyist Activity Within the Greater Los Angeles Chapter of the Fair Play for Cuba Committee.*

Mr. Dobbs. I refuse to answer that question on the same grounds.

Mr. Tavenner. I hand you a photograph which I offer in evidence and ask that it be marked Dobbs Exhibit No. 25.[32]

Mr. Doyle. So received and so marked.

Mr. Tavenner. Will you examine it, please, and state whether or not it is a picture of a picket line of the Fair Play for Cuba Committee in which you are taking part and in which you are holding a placard?

Mr. Dobbs. I decline to answer the question on the grounds as previously stated.

Mr. Doyle. Let the record show that the witness and counsel examined the exhibit.

Mr. Tavenner. Does this photograph show that the placard, which the man in the light suit is carrying, bears the inscription "Cuba Si"?

Mr. Dobbs. I refuse to answer on the same grounds.

Mr. Tavenner. And is not that individual you?

Mr. Dobbs. I refuse to answer on the same grounds.

Mr. Scherer. Well, it is obvious, and I think the record should show, the photograph I am now looking at is that of the present witness.

Mr. Johansen. And that this photograph is Exhibit No. 25.

Mr. Doyle. And I am looking at the same exhibit and I look at the witness and I submit that I can tell from the picture that the witness before us is one and the same man, with his head up in the air, holding a sign, and on that sign it says, "Cuba Si."

What does that "Si" refer to, Mr. Witness?

Mr. Dobbs. I am still going to refuse to answer on the grounds as previously stated.

Mr. Johansen. Mr. Chairman, I would like to observe that this is a new version of the old Chinese saying. This is a case in which one picture is worth a thousand invocations of the fifth amendment.

Mr. Doyle. That picture, may I say, is dated at the left-hand corner "April 15, 1961."

Mr. Tavenner. And I would like to ask the witness whether he engaged in a picket line activity of the Fair Play for Cuba Committee on—what date?

Mr. Scherer. April 15, 1961.

Mr. Tavenner. April 15, 1961, in Los Angeles?

Mr. Dobbs. I am going to refuse to answer that question on the grounds as stated.

Mr. Scherer. For the record, "Si" means what in English? "Yes"?

Mr. Tuck. It means "Yes," "Cuba Yes."

Mr. Doyle. I think the picture Congressman Scherer is holding in his hand clearly shows the witness was, that day, holding the sign "Cuba Si" and also in the picture are two women also holding signs and three men holding signs, apparently picket signs, of the same general type as that held by the witness, although with different wording than there is on that sign.

Mr. Tavenner. Will you tell the committee, please, whether one of the assignments of the Communist Party in Los Angeles is to conduct agitation within the Fair Play for Cuba Committee?

[32] See committee *Report and Appendix, "United Front" Technique of the Southern California District of the Communist Party*, p. 183.

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Do members of the Socialist Workers Party hold offices in the Fair Play for Cuba Committee?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Isn't it correct, Mr. Dobbs, that a meeting of the Fair Play for Cuba Committee was held in the Severance Room of the First Unitarian Church in Los Angeles on February 20, 1961, at which time the Communist Party members were ordered to attend and to attempt to gain positions of leadership in the Fair Play for Cuba Committee?

Mr. DOBBS. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Did the Communists fail in their attempt at that time?

Mr. DOBBS. I refuse to answer that question on the same grounds.

* * * * * * *

(Discussion off the record.)

Mr. SCHERER. Witness, do you ever use any name other than Ben Dobbs?

Mr. DOBBS. I refuse to answer that question on the grounds as previously stated.

Mr. SCHERER. Were you born "Dobbs," "Ben Dobbs"?

Mr. DOBBS. I refuse to answer that question on the grounds as previously stated.

Mr. SCHERER. Where were you born?

Mr. DOBBS. New York City.

Mr. SCHERER. Does your birth certificate show your name to be "Ben Dobbs"?

Mr. DOBBS. I refuse to answer that question on the grounds as previously stated.

Mr. SCHERER. What does the birth certificate show?

Mr. DOBBS. And I still refuse to answer that question on the grounds previously stated.

Mr. SCHERER. Have you ever seen your birth certificate?

Mr. DOBBS. I refuse to answer that question as well on the same grounds.

Mr. SCHERER. Did you ever travel abroad?

Mr. DOBBS. I refuse to answer that question as well on the same grounds.

Mr. SCHERER. Have you ever made request for passport?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. SCHERER. Did you ever change your name in any court?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. SCHERER. That is all the questions I have.

Mr. TAVENNER. Mr. Dobbs, do you know whether Vincent Fraga was active in the Fair Play for Cuba Committee?

Mr. DOBBS. I refuse to answer that question on the grounds as previously stated.

Mr. TAVENNER. Was he a delegate—or rather, was he elected as an alternate delegate to the 17th National Convention of the Communist Party?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. You know Vincent Fraga, do you not?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Do you know where he is now?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. You do, as a matter of fact, know that he has defected to Cuba, do you not?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. SCHERER. What was the name of the person?

Mr. TAVENNER. Fraga, F-r-a-g-a, Vincent Fraga.

What are the means, Mr. Dobbs, of dissemination of Communist propaganda in Los Angeles?

Mr. DOBBS. I refuse to answer that question on the grounds reviously stated.

Mr. TAVENNER. Is the Progressive Book Shop at 1806 West Seventh Street a propaganda outlet for the Communist Party?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Is Frank Spector the general manager of the Progressive Book Shop?

Mr. DOBBS. I decline to answer that question on the grounds as previously stated.

Mr. TAVENNER. Was he not a delegate to the Southern California Communist Party District Convention, the Second Convention?

Mr. DOBBS. I decline to answer that question for the same reasons.

Mr. TAVENNER. Is there a Communist Party book store located at 4507 South Central Avenue, sometimes referred to as Gordon's Bookshop? [33]

Mr. DOBBS. I refuse to answer that question on the grounds as previously stated.

Mr. TAVENNER. Mr. Dobbs, the committee's investigation shows that as late as last night you and Hugh DeLacy and Frank Wilkinson were in a meeting at the First Unitarian Church to assist in making plans for picketing these proceedings here today; is that correct?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. SCHERER. Is that the same Unitarian Church of which Stephen Fritchman is the pastor?

Mr. TAVENNER. Yes, it is.

Mr. SCHERER. Is that the same Stephen Fritchman who was before our committee a couple years ago and took the fifth amendment when asked questions about his Communist Party membership?

Mr. TAVENNER. Yes, it is.

Hugh DeLacy is a member of the Communist Party, is he not?

Mr. DOBBS. I refuse to answer on the same grounds.

Mr. TAVENNER. Frank Wilkinson was a paid functionary of the Communist Party in Los Angeles, was he not?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. SCHERER. I want to pursue this a little farther. I just asked if Reverend Fritchman was a witness before us and invoked the fifth amendment when asked about his own party membership. Is that correct?

[33] Hugh H. Gordon Bookshop.

Mr. TAVENNER. Yes.

What influence did the Communist Party exercise in the formation of the picket lines that are picketing this committee today?

Mr. DOBBS. I refuse to answer that question on the grounds as previously stated.

Mr. SCHERER. Would you deny, Witness, that you and other Communists were not the prime movers in the picketing of the committee today?

Mr. DOBBS. And I still refuse to answer the question on the same grounds.

Mr. TAVENNER. Under what auspices was the meeting held in the Unitarian Church last night, which would be April 23, attended allegedly by you, Hugh DeLacy, and Frank Wilkinson?

Mr. DOBBS. I refuse to answer that question as well on the same grounds.

Mr. SCHERER. When did Wilkinson get out of jail?

Mr. WHEELER. The first week of February.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. No.

Mr. DOYLE. Governor?

Mr. TUCK. I have no questions.

Mr. DOYLE. Any questions of the witness, Mr. Johansen?

Mr. JOHANSEN. No further questions.

Mr. DOYLE. Just one question, please, Witness.

Are you now a member of the Communist Party, Mr. Dobbs?

Mr. DOBBS. I am going to refuse to answer that question on the grounds previously stated, Congressman.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mr. DOBBS. I refuse to answer that question on the same grounds.

Mr. SCHERER. Has this witness been identified before this committee as a member of the Communist Party?

Mr. TAVENNER. Yes.

Mr. SCHERER. Is that identification of you correct?

Mr. DOBBS. I refuse to answer that question as—well, I answered that long ago. That is, I refused to answer it long ago.

Mr. TAVENNER. That is all.

Mr. DOYLE. You are excused, then, Mr. Dobbs, from the subpena and thank you, Counsel.

Mr. OKRAND. Thank you.

* * * * * * *

Mr. DOYLE. The subcommittee stands adjourned until tomorrow at 8 a.m.

(Whereupon at 5:40 p.m., Tuesday, April 24, 1962, the subcommittee recessed to reconvene at 8 a.m., Wednesday, April 25, 1962.)

"UNITED FRONT" TECHNIQUE OF THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

WEDNESDAY, APRIL 25, 1962

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

EXECUTIVE SESSION [1]

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 8 a.m., in Room 519, United States Federal Building, Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Subcommittee members: Representatives Clyde Doyle, of California; Edwin E. Willis, of Louisiana; William M. Tuck, of Virginia; Gordon H. Scherer, of Ohio; and August E. Johansen, of Michigan.

Subcommittee members present: Representatives Clyde Doyle, William M. Tuck, Gordon H. Scherer, and August E. Johansen.

Staff members present: Frank S. Tavenner, Jr., director, and William A. Wheeler, investigator.

Mr. DOYLE. The subcommittee will come to order.

Mr. Fred Cannon, please raise your right hand and be sworn.

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CANNON. Yes.

TESTIMONY OF FRED A. CANNON, ACCOMPANIED BY COUNSEL, BENNET OLAN

Mr. TAVENNER. You are Mr. Cannon?

Mr. CANNON. Yes, sir.

Mr. TAVENNER. Will you please state your full name?

Mr. CANNON. Fred A. Cannon.

Mr. TAVENNER. It is noted you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. OLAN. Bennet Olan, 212 South Gale Drive, Beverly Hills.

Mr. TAVENNER. Where do you reside, Mr. Cannon?

Mr. CANNON. 11111 Wilmington Avenue.

Mr. TAVENNER. What is your occupation?

Mr. CANNON. I am a printer and sign painter.

Mr. TAVENNER. Will you please tell us the date and place of your birth?

[1] Released by the committee and ordered to be printed.

Mr. CANNON. I would like to know how this is relevant to the hearing.

Mr. TAVENNER. That is a matter of identification of you.

Mr. CANNON. I was born in 1907, in Nairn, Louisiana, Parish of Plaquemines.

Mr. TAVENNER. Mr. Cannon, the committee's investigation discloses that you attended the Los Angeles County Communist Party Convention, which was held on January 6, 1957.

We would like for you to either verify that or explain it, if you like.

Mr. CANNON. Before I answer any question, I would like to know what the legislative purpose of this hearing is for.

Mr. SCHERER. If we tell you what the legislative purpose is, will you answer the question then?

Mr. CANNON. I prefer to hear the legislative purpose before I answer any questions.

Mr. TAVENNER. Mr. Chairman, may I read the pertinent part of the opening statement that you read at the beginning?

Mr. DOYLE. Proceed, if you will, Counsel, and do that.

Mr. TAVENNER. The committee's resolution, adopted January 17, 1962, authorizing these hearings, adequately sets forth the subjects and purposes.

This is a statement that the chairman of this subcommittee made at the opening of these hearings. The resolution controlling the first phase of the hearings reads as follows:

> BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States * * *.

The chairman of the subcommittee also explained that at the time that resolution was passed, on January 17, the staff of this committee was assisting him in the preparation of a bill which he introduced on January 30th of this year, which is H.R. 9944, which amends the Internal Security Act of 1950—that is, amends the registration provisions of it—and makes membership in the Communist Party unlawful, and that bill has been referred to this committee, and these hearings relate to that.

Now, will you answer the question, please, sir?

Mr. CANNON. I refuse to answer because it is not a valid legislative purpose and because of my rights under the first and fifth amendment, under the Bill of Rights of the Constitution.

Mr. DOYLE. I will instruct you to answer the question.

Mr. CANNON. I refuse to answer on my right of the first and fifth amendment of the Constitution.

Mr. TAVENNER. Will you advise the committee, please, whether or not you have been the duly constituted representative from your Communist Party section to District Council meetings since 1957?

Mr. CANNON. I refuse to answer under the first and fifth amendment of the Constitution.

Mr. TAVENNER. Have you also attended meetings of the Communist Party's District Negro Commission in Los Angeles?

Mr. CANNON. I refuse to answer on the first and fifth amendment.

Mr. TAVENNER. Are you now a member of the Communist Party?
Mr. CANNON. I refuse to answer under the first and fifth amendment.
Mr. TAVENNER. I have no further questions.
Mr. DOYLE. Any questions, Governor?
Mr. TUCK. I have no questions.
Mr. DOYLE. Congressman Scherer?
Mr. SCHERER. Was the witness asked his present occupation?
Mr. TAVENNER. Yes, and he advised that he did something in regard to printing, I believe.
Mr. SCHERER. Yes, I recall now. That is all I have. No further questions.
Mr. DOYLE. Mr. Johansen?
Mr. JOHANSEN. No.
Mr. DOYLE. I have one question.
Witness, this committee is here, as stated by our counsel and read to you under the resolution, the statement made at the opening of these hearings, for a legislative purpose which is the legislation which relates to subversive activity groups.
Have you any recommendations in the field of legislation which you would give us?
Mr. CANNON. No, I refuse to answer any questions on my rights under the first and fifth amendment.
Mr. DOYLE. You think any recommendation by you in the field of of legislation might subject you to criminal prosecution?
Mr. CANNON. I am afraid if I answer a question it may invalidate my rights under the first and fifth amendments.
Mr. DOYLE. I have no further questions.
The witness then is excused. Thank you.
(Witness excused.)
Mr. DOYLE. Call the next witness, Mr. Tavenner.
It might interest you, Counsel, to know that on this subcommittee this morning, three of us are lawyers.
Mr. OLAN. I appreciate that fact, Mr. Doyle.
Mr. DOYLE. Mr. Howard G. Louks, will you please raise your right hand and be sworn?
Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?
Mr. LOUKS. Yes.

TESTIMONY OF HOWARD G. LOUKS, ACCOMPANIED BY COUNSEL, FRANK S. PESTANA

Mr. TAVENNER. What is your name please, sir?
Mr. LOUKS. Howard Louks.
Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?
Mr. PESTANA. Yes, I am Frank Pestana.
Mr. TAVENNER. Where do you reside, Mr. Louks?
Mr. LOUKS. Sir, I decline to answer that question on all the grounds afforded me by the Constitution of the United States.
Mr. TAVENNER. May I have a direction that the witness answer?
Mr. DOYLE. Yes, I direct you to answer.
It is merely a matter of identification.

Mr. LOUKS. I decline to answer, sir, on all the grounds afforded me by the Constitution of the United States.

Mr. SCHERER. Witness, do you honestly believe that to tell this committee where you reside might lead to a criminal prosecution?

Mr. LOUKS. Same answer.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer that question, because the courts have said that we have a right to test whether he is invoking the fifth amendment in good faith, and he must either answer yes or no to that question. He cannot invoke the fifth amendment when we ask him if he is invoking the fifth amendment in good faith, and that is what I did.

If he honestly believes that to tell us where he lives might lead to criminal prosecution——

Mr. DOYLE. I instruct you to answer the question, Witness.

Mr. LOUKS. Sir, I decline to answer the question on the same grounds of all of the rights guaranteed me under the Constitution of the United States.

Mr. TAVENNER. Were you subpenaed to appear before this committee as a witness on April 24?

Mr. LOUKS. I decline to answer the question, sir.

Mr. DOYLE. I instruct you to answer the question, Witness.

Mr. PESTANA. May I know what the question was, Counsel?

Mr. TAVENNER. Were you subpenaed to appear before this committee as a witness?

Mr. LOUKS. What is the pertinency or relevancy of the question?

Mr. TAVENNER. We want to find out who you are.

You have appeared here in answer to a name, and I want to make certain you are the person we subpenaed.

Mr. LOUKS. My name is Howard Louks.

Mr. TAVENNER. Were you subpenaed to appear here this morning?

Mr. LOUKS. Yes, I was. I have it.

Mr. TAVENNER. I offer in evidence, Mr. Chairman, a copy of the subpena, on which Frank Bland, sheriff, by his deputy, W. H. Stone, made a return of service at 17636 Santa Ana Avenue, Bloomington, California.

Is that the place of your residence?

Mr. LOUKS. The same answer, sir.

Mr. TAVENNER. May the copy of the subpena be introduced in evidence and marked Louks Exhibit No. 1?

Mr. DOYLE. It will be received.

(Document marked "Louks Exhibit No. 1" and retained in committee files.)

Mr. SCHERER. I think there ought to be a direction to answer the question as to whether he was subpenaed at that address, Mr. Chairman.

Mr. DOYLE. I will direct you, Witness, to answer the question whether or not you were subpenaed at the address which our counsel read, shown on the face of the subpena.

Mr. SCHERER. It is obviously an improper invocation of the fifth amendment; obviously not invoked in good faith, because it could not possibly lead to a criminal prosecution.

Mr. DOYLE. That is correct. You understand my direction, Witness and Counsel?

Mr. LOUKS. Same answer, sir.

Mr. TAVENNER. Mr. Louks, were you the duly constituted representative on the District Committee of the Communist Party of Southern California from the Riverside-San Bernardino Section of the Communist Party?

Mr. LOUKS. I decline to answer that question, sir, on all the grounds afforded me by the Constitution of the United States.

Mr. SCHERER. Now, in invoking all the grounds afforded you, does your refusal include the self-incrimination provision of the fifth amendment?

Mr. LOUKS. It includes all the grounds of the Constitution, sir.

Mr. SCHERER. I am asking you whether it includes the self-incrimination provision of the fifth amendment?

Mr. LOUKS. All of the grounds, sir. It includes all of the grounds of the Constitution.

Mr. SCHERER. Mr. Chairman, I asked him a direct question. The law specifically says when we want to know whether a witness is invoking the fifth amendment that the witness must answer.

It is elementary.

Mr. DOYLE. Mr. Scherer is going at length to make it clear what we believe the situation is, and I direct you to answer the question.

Mr. LOUKS. I think I answered the question, sir. It's the same answer.

Mr. DOYLE. You are making the same answer now that you previously made, in spite of my direction that you answer the question?

Mr. LOUKS. I decline to answer the question on all the grounds granted to me by the Constitution of the United States.

Mr. SCHERER. The witness is guilty of contempt.

Mr. TAVENNER. Mr. Louks, were you a delegate to the Second Convention of the Communist Party for the Southern District of California——

Mr. LOUKS. I decline to answer the question for the same reasons, sir.

Mr. TAVENNER. Just a moment.

—at its first session, held November 20, 21, and 22, 1959?

Mr. LOUKS. I decline to answer the question, sir, for the same reasons I have given before.

Mr. TAVENNER. Did you also attend the second session of that convention, which was held January 29, 30, and 31, 1960, as a delegate?

Mr. LOUKS. I decline to answer, sir, for the same reasons.

Mr. TAVENNER. The committee's investigation reflects, Mr. Louks, that you made a report to the second session of the convention, on January 30, 1960, at which time you said that as a result of the reports that came out of the National Convention, and given to the people in the San Bernardino and Riverside areas, the party had commenced to grow.

Did you make that report?

Mr. LOUKS. I decline to answer, sir, for the reasons given before.

Mr. TAVENNER. To what extent has the party grown since the date of this convention in 1960?

Mr. LOUKS. Same answer, sir.

Mr. TAVENNER. Were you not elected on January 31, 1960, to membership on the new District Committee?

Mr. LOUKS. The answer is the same, sir.

Mr. TAVENNER. Is it correct that you were a member of the Independent Progressive Party State Central Committee during the period of 1948 to 1952?

Mr. LOUKS. The answer is the same, sir.

Mr. TAVENNER. Did you attend District Committee meetings of the Communist Party for the Southern District of California on the following dates: November 1960?

Mr. LOUKS. Same answer.

Mr. TAVENNER. And then the District Council meetings in January of 1959, April of 1959, and December of 1959?

Mr. LOUKS. Same answer, sir.

Mr. TAVENNER. Are you a member of the Communist Party, today?

Mr. LOUKS. Same answer.

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. Any questions?

Mr. TUCK. I have no questions.

Mr. DOYLE. Question, Mr. Scherer?

Mr. SCHERER. No questions.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. No questions.

Mr. DOYLE. Thank you, Witness and Counsel, you are excused.

(Witness excused.)

Mr. JOHANSEN. Do you have his address to mail the check?

Mr. WHEELER. Yes.

Mr. SCHERER. He just gave you his address?

Mr. WHEELER. No, I had it.

Mr. SCHERER. I heard him say 50 miles.

Mr. WHEELER. He lives at Bloomington, California, 17636 Santa Ana Avenue.

Mr. DOYLE. Mrs. Helen Weingast, witness, will you please rise and raise your right hand?

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. WEINGAST. Yes.

TESTIMONY OF HELEN WEINGAST, ACCOMPANIED BY COUNSEL, FRANK S. PESTANA

Mr. TAVENNER. You are Mrs. Weingast?

Mrs. WEINGAST. Yes.

Mr. TAVENNER. Will you give your full name, please, and spell it?

Mrs. WEINGAST. Helen Weingast, H-e-l-e-n W-e-i-n-g-a-s-t.

Mr. TAVENNER. Do you use the middle name of Kurst?

Mrs. WEINGAST. No.

Mr. TAVENNER. Are you also known as Mrs. Sol Weingast?

Mrs. WEINGAST. I refuse to answer that question.

Mr. TAVENNER. What is your middle name—I mean your maiden name?

Mrs. WEINGAST. My maiden name, K-u-r-s-t,-Kurst.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself?

I believe it is the same counsel?

Mr. PESTANA. Yes, the same Frank Pestana previously with the witness just preceding.

Mr. TAVENNER. Where were you born, Mrs. Weingast?

Mrs. WEINGAST. I decline to answer.

Mr. DOYLE. I instruct the witness to answer. It is a matter of identification we are entitled to have, we are sure.

Mrs. WEINGAST. Where I was born, was Austria.

Mr. SCHERER. I didn't hear the answer.

Mr. PESTANA. Austria.

Mrs. WEINGAST. Austria, where I was born.

Mr. TAVENNER. Are you an American citizen?

Mrs. WEINGAST. Yes, sir.

Mr. TAVENNER. When were you naturalized and where?

Mrs. WEINGAST. July, I believe, 31, 1928, in Brooklyn.

Mr. TAVENNER. Where?

Mrs. WEINGAST. Brooklyn.

Mr. TAVENNER. In Brooklyn. Where do you now reside?

Mrs. WEINGAST. I decline to answer.

Mr. DOYLE. I instruct you to answer, Witness.

We believe it is a matter we are entitled to have. It is a matter of identification.

Mrs. WEINGAST. You have—I decline to answer on all the grounds afforded me by the Constitution of the United States.

Mr. SCHERER. Do you honestly believe if you told us where you live at this time that that might lead to a criminal prosecution?

Mrs. WEINGAST. I decline to answer all the question for the same reason.

Mr. TAVENNER. Now, when you say that you refuse to answer the question on the rights afforded you under the Constitution, does that include the self-incrimination provision of the fifth amendment as a basis for your refusal to answer?

Mrs. WEINGAST. I give you same answer, sir.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer that question.

Mr. DOYLE. Witness, I direct you to answer the question which was just asked you by Congressman Scherer.

Mrs. WEINGAST. I still decline to answer on the same basis, on all the questions.

Mr. TUCK. Mr. Chairman, unless she does answer that question, she doesn't avail herself of the protection or the guarantee under the provision.

Mr. DOYLE. Well, she has her legal adviser with her.

Mr. TAVENNER. Mrs. Weingast, do you appear here pursuant to the provisions of a subpena served on you by an officer?

Mrs. WEINGAST. Yes, I have a subpena.

Mr. TAVENNER. I offer in evidence a copy of the subpena served upon this witness, where the return shows it was served on "Helen Weingast at 9510 Mango, Fontana, Calif."

May it be accepted in evidence?

Mr. DOYLE. It will be so received.

(Document marked "Weingast Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Were you served at the place of your residence?

Mrs. WEINGAST. Same answer, I give you, sir.

Mr. TAVENNER. Did you formerly reside at 408 237th Street, Wilmington, California?

Will you answer the question, please?

Mrs. WEINGAST. Would you please repeat the question?

Mr. TAVENNER. Did you formerly reside, in fact, in 1944, at 408 237th Street, Wilmington, California?

Mrs. WEINGAST. I will decline this question on the same basis as I answered the former questions.

Mr. TAVENNER. During the year 1944 were you a member of the Communist Political Association in San Pedro, California?

Mrs. WEINGAST. I decline to answer any questions, same basis, on all grounds of all the questions.

Mr. TAVENNER. Did you become a member of the Communist Party in New York City in 1935?

Mrs. WEINGAST. I decline to answer on all grounds of the same way.

Mr. JOHANSEN. I couldn't hear the last of that.

Mr. PESTANA. Same way.

Mr. JOHANSEN. I'm asking the witness, Counsel.

Mr. PESTANA. I was trying to help.

Mrs. WEINGAST. Same rule.

I am hoarse, I decline to answer on the basis which I answered—as I answered all the questions.

Mr. JOHANSEN. Thank you.

Mr. TAVENNER. When did you first become a resident of the State of California?

Mrs. WEINGAST. I did the same answer, sir, I decline to answer.

Mr. TAVENNER. May I have a direction?

Mr. DOYLE. I direct you to answer that question. It is a matter of identity we believe we are entitled to have.

Mrs. WEINGAST. I decline to answer on the same grounds.

Mr. TAVENNER. Did you become financial secretary in 1951 of the Riverside-San Bernardino Section of the Communist Party?

Mrs. WEINGAST. I decline to answer on the same grounds on all of the questions.

Mr. TAVENNER. And do you hold that position at this time?

Mrs. WEINGAST. I decline to answer, sir. I decline to answer, as previously—on the same grounds.

Mr. TAVENNER. Did you attend the first session of the Second Convention of the Southern California District of the Communist Party on November 20, 1959?

Mrs. WEINGAST. I decline to answer on the same grounds on all the questions.

Mr. TAVENNER. Were you in attendance at the second session?

Mrs. WEINGAST. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. Any questions?

Mr. TUCK. I have no questions.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. No questions.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. No questions.

Mr. DOYLE. Thank you, Witness and Counsel, you are excused.

(Witness excused.)

Mr. DOYLE. Mr. Don Matsuda, will you please raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MATSUDA. Yes.

TESTIMONY OF DON MATSUDA, ACCOMPANIED BY COUNSEL, ARTHUR A. BROOKS, Jr.

Mr. TAVENNER. Will you state your full name, please, and spell your last name?

Mr. MATSUDA. Don M-a-t-s-u-d-a.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. BROOKS. Arthur A. Brooks, Jr., 5455 Wilshire Boulevard, Los Angeles 36.

Mr. TAVENNER. When and where were you born, Mr. Matsuda?

Mr. MATSUDA. I decline on the basis——

Mr. BROOKS. No, no.

Mr. MATSUDA. I was born in Los Angeles, 1924.

Mr. TAVENNER. Where do you reside?

Mr. MATSUDA. 1235 South Mariposa.

Mr. TAVENNER. Will you speak up a little?

Mr. MATSUDA. 1235 South Mariposa, Los Angeles.

Mr. TAVENNER. What is your occupation?

Mr. MATSUDA. TV repairman.

Mr. TAVENNER. Will you tell the committee briefly what your formal educational training has been?

What schools have you attended?

Mr. MATSUDA. Well, I have attended city schools in Los Angeles, and a year in the University of Chicago.

Mr. TAVENNER. When did you attend the University of Chicago?

Mr. MATSUDA. 1946 and 1947.

Mr. TAVENNER. During the investigation——

Mr. BROOKS. Mr. Tavenner, I think he wants to enlarge on his educational background.

Mr. TAVENNER. Yes.

Mr. MATSUDA. Well, I had military training in the United States Army; served in the combat team in the 442 Combat Team, under the infantry battalion in Italy. I had a Presidential unit citation with two oak leaf clusters and four battle stars.

Mr. TAVENNER. Yes, that is a very excellent record. We are quite proud of the record of that unit in the Army, and I believe this committee was entertained once in Hawaii by that battle group.

Mr. JOHANSEN. Isn't that the unit that Congressman Inouye, our colleague, served in?

Mr. TAVENNER. I think it is, yes.

Well I want to congratulate you on your war record.

When did you return to California from your service in the Armed Forces?

Mr. MATSUDA. In 1952, I believe I returned. I didn't return immediately to California.

Mr. TAVENNER. Speak up a little.

Mr. MATSUDA. I returned to California in 1952.

Mr. TAVENNER. What has been your employment since 1952?

You are now employed in TV service work, I understand. How long have you been so employed?

Mr. MATSUDA. Oh, about 5 years.

Mr. TAVENNER. The committee, in the course of the investigation it conducted in Los Angeles in 1958, learned through its investigation that you were a functionary of the Communist Party at that time and that you attended a meeting of district organizational secretaries of the Communist Party in the year 1958.

We would like you to tell us whether our investigation is correct; if it isn't, what explanation you have, if you have any?

Mr. MATSUDA. I would like to know what the pertinency of that question is to the purposes of the investigation.

Mr. TAVENNER. With the chairman's permission——

Mr. DOYLE. Yes, Counsel, read that.

Mr. TAVENNER. The chairman of the subcommittee made a statement at the beginning of the hearings here, which included the resolution adopted by the committee on January 17, 1962, authorizing the hearings, and the resolution itself pretty fully states the purpose, the subject, and the legislative purpose of the hearings.

The resolution reads as follows:

> BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate, relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States * * *.

The chairman of the subcommittee also explained that at the time that resolution was passed, on January 17, the staff of this committee was assisting him in the preparation of a bill which he introduced on January 30 of this year, which is H.R. 9944, which amends the Internal Security Act of 1950—that is, amends the registration provisions of it—and makes membership in the Communist Party unlawful, and that bill has been referred to this committee, and these hearings relate to that.

Now, will you answer the question, please?

Mr. MATSUDA. I decline to answer on the basis of the privileges granted me under the fifth and first amendments to the Constitution.

Mr. TAVENNER. You are referring to that provision of the fifth amendment relating to testifying in a matter that might involve yourself?

Mr. MATSUDA. Yes.

Mr. TAVENNER. The committee's investigation reflects—that is, the present investigation—that you attended the second session of the Second Convention of the Communist Party of the Southern District of California on January 29, 1960, at which time you addressed the convention.

Do you recall that?

Mr. MATSUDA. I decline to answer on the same grounds previously stated.

Mr. TAVENNER. Did you not, in fact, attend that convention and address the convention?

Mr. MATSUDA. Same answer.

Mr. TAVENNER. Did you not take the floor of the convention and call its attention to the fact that the Japanese people were let out of the party during the time that they were not citizens and that the party should look into the matter and make an effort to get the Japanese in the community back into the Communist Party?

Mr. MATSUDA. Same answer.

Mr. TAVENNER. Were you not, on January 31, 1960, elected as one of the 30-member District Committee at the second session of the Second Convention of the Communist Party of the Southern District of California?

Mr. MATSUDA. Same answer.

Mr. TAVENNER. Were you not assigned to recruit Japanese into the Communist Party?

Mr. MATSUDA. Same answer.

Mr. TAVENNER. Were you directed by Communist Party headquarters, or did you on your own volition join in a picket line sponsored by the Fair Play for Cuba Committee on April 15, 1961, and again on April 19, 1961?

Mr. MATSUDA. Same answer.

Mr. TAVENNER. Mr. Chairman, I would like to offer a photograph in evidence and have it marked Matsuda Exhibit No. 1.[1]

Mr. DOYLE. It will be so received.

Mr. TAVENNER. I hand the witness Matsuda Exhibit No. 1 and ask him if the person in the foreground, apparently holding a picket sign, is a picture of himself?

Mr. DOYLE. May the record show that the witness and his counsel are examining the photograph?

Mr. MATSUDA. I decline to answer on the constitutional grounds previously stated.

Mr. TAVENNER. Please hand the photograph to the chairman and ask him to examine the photograph.

Mr. DOYLE. I will ask the other members of the subcommittee to examine this photograph with me.

It has been offered by counsel.

Mr. SCHERER. It is obvious to me that the picture in this photograph is that of the witness before us.

Mr. DOYLE. Governor Tuck, what is your observation?

Mr. TUCK. I would say there is no question about it.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. I certainly agree.

Mr. DOYLE. I agree that he is a good-looking native of California, like I am a native son of California.

Mr. SCHERER. Well, let's not compliment him too much, taking the fifth amendment on his Communist Party activities.

Mr. DOYLE. Well, I can compliment him on being born in the great State.

I return this photo, and we all agree that it is one and the same.

Mr. JOHANSEN. Mr. Chairman, I think in response to numerous questions the witness has said, "The same answer."

I assume that he intended to convey in each instance that it was a refusal to answer, rather than an answer, and that he based the refusal

[1] See committee *Report and Appendix, "United Front" Technique of the Southern California District of the Communist Party*, p. 183.

on the same constitutional grounds that he had previously, or originally, invoked, is that correct?

Mr. MATSUDA. That is correct.

Mr. SCHERER. And as I recall, the grounds that he invoked involved the self-incrimination provision of the fifth amendment.

Mr. JOHANSEN. That is my understanding.

Mr. SCHERER. Is that right?

Mr. MATSUDA. The provision of the fifth amendment which does not require a person to testify against himself.

Mr. TAVENNER. Mr. Matsuda, will you tell the committee, please, whether or not directives have been issued by the Communist Party requiring its membership to cooperate with the Fair Play for Cuba Committee?

Mr. MATSUDA. I decline to answer on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. What connection is there between the Communist Party and the Fair Play for Cuba Committee in this area?

Mr. MATSUDA. I decline to answer on the basis of the fifth and first amendment.

Mr. TAVENNER. Are you a member of the Fair Play for Cuba Committee?

Mr. MATSUDA. I decline to answer on the basis of the fifth and first amendments.

Mr. TAVENNER. I think that's all, Mr. Chairman.

Mr. DOYLE. Questions, anyone?

Mr. TUCK. I have no questions.

Mr. TAVENNER. I have one other question, please.

I think I have asked the question in another form, but are you now an active member of the Communist Party?

Mr. MATSUDA. I decline to answer on the basis of the fifth and first amendments.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. How many battle stars did you say you were awarded.

Mr. MATSUDA. Four.

Mr. JOHANSEN. No one can fail to recognize and respect courage. I wish you had the same courage in the battle we're engaged in now.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. No.

Mr. DOYLE. May I just make this observation to the witness.

The committee knows that our counsel, asking you the questions which he has asked you, would not have asked you about the Communist Party activities, and so forth, unless we had evidence that would substantiate his questions. May I just make this statement to you, with all sincerity. The Supreme Court of the United States upheld the SACB finding that the Communist Party in the United States is an offshoot and an agent of Soviet Russian communism, which is an international conspiracy to overthrow our constitutional form of government in this country.

Frankly, I don't understand how a man who has displayed the valor you displayed, to get four battle stars, in defense of our freedoms in the world can do that and then be identified with an international conspiracy that openly says that, if necessary in its judgment, it will use force and violence to overthrow this Government of our country.

I just want to make that observation to you. I don't understand it.

Mr. SCHERER. Could it be, Mr. Doyle, that at that time Russia, or the Soviet Union, was a co-belligerent with the United States? Could that have anything to do with it?

Mr. DOYLE. It could, but it isn't any longer, and this man has had an education, attended the University of Chicago for a while. I want you to think pretty seriously, Matsuda. Aren't you in the wrong outfit? Do you belong there? I don't think you do.

Thank you, Witness and Counsel, you are excused.

(Witness excused.)

Mr. DOYLE. Mrs. Jeanne Katz, will you please rise and be sworn?

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KATZ. I do.

TESTIMONY OF JEANNE KATZ, ACCOMPANIED BY COUNSEL, ARTHUR A. BROOKS, JR.

Mr. TAVENNER. You are Mrs. Seymour Katz?

Mrs. KATZ. Yes.

Mr. TAVENNER. What is your first name?

Mrs. KATZ. Jeanne.

Mr. TAVENNER. How do you spell it?

Mrs. KATZ. J-e-a-n-n-e.

Mr. TAVENNER. It is noted that counsel accompanying the witness is the same who appeared with the preceding witness.

What is your address, please?

Mrs. KATZ. 3811 Tracy Street.

Mr. TAVENNER. What is your occupation?

Mrs. KATZ. I decline to answer that question on the grounds of the first and fifth amendments of the Constitution and also because I don't see any pertinency to my reason—I don't know what the reason is for my being here. I don't know why the question would be pertinent.

Mr. SCHERER. Would you tell her why she is here, Counsel?

Mr. TAVENNER. Of course, that particular question has to do with our proper identification.

But the purpose of the hearings, which I think is what the witness is referring to, is set forth in the committee's resolution adopted January 17, 1962, which reads as follows:

> BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States * * *.

The chairman of the subcommittee also explained that at the time that resolution was passed, on January 17, the staff of this committee was assisting him in the preparation of a bill which he introduced on January 30th of this year, which is H.R. 9944, which amends the Internal Security Act of 1950—that is, amends the registration provisions of it—and makes membership in the Communist Party unlaw-

ful, and that bill has been referred to this committee, and these hearings relate to that.

And you are called here because of an investigation that the staff has made, which indicates that you are in a position to give this committee a great deal of information relating to Communist Party activities in this area.

Now, will you answer the question, please, as to your occupation?

Mrs. KATZ. I decline to answer on the grounds stated.

Mr. TAVENNER. May I have a direction?

Mr. DOYLE. I direct you, Witness, to answer that question.

We believe it has been shown to you that it is pertinent to this hearing.

Mr. BROOKS May I have a minute, Mr. Chairman?

Mrs. KATZ. I decline to answer that question on the grounds stated.

Mr. JOHANSEN. I wonder if the witness would raise her voice.

Mrs. KATZ. Gentlemen, I decline to answer that question on the grounds of the fifth and first amendments to the Constitution.

Mr. SCHERER. Mr. Chairman, may I ask the witness a question?

Mr. DOYLE. Yes.

Mr. SCHERER. Witness, do you honestly believe that to answer the question as to your occupation might subject you to a criminal prosecution?

Mrs. KATZ. I don't—I would like to stand on those grounds; also the fact that I do not believe it is pertinent to the stated purposes.

Mr. SCHERER. I am merely testing the good faith of your invocation—your good faith in invoking the fifth amendment, and when we have some doubts as to whether you are properly invoking the fifth amendment or invoking it in good faith, then the courts say that we have a right to ask you and inquire as to whether you honestly believe that to answer the question before you—namely, as to your employment—might lead to a criminal prosecution, and then the courts say you must answer that yes, if you are invoking it in good faith; you cannot invoke the fifth amendment to that question.

Mrs. KATZ. Yes, well; I do wish to invoke the first and fifth amendments, and also I do not believe that it is pertinent to the stated aims of the committee or this investigation.

Mr. DOYLE. Well, I again instruct you to answer the question.

Mrs. KATZ. I decline on the grounds stated.

Mr. SCHERER. Are you engaged in any illegal activity at this time, since you say that to answer the question might——

Mrs. KATZ. I de——

Mr. SCHERER. —bring about a possible criminal prosecution?

Mrs. KATZ. I decline to answer that question on the same grounds.

Mr. TAVENNER. When and where were you born, Mrs. Katz?

Mrs. KATZ. I decline to answer that question on the grounds that I do not see that it is at all pertinent to the stated reason for this investigation and also on the grounds of the first and fifth amendments.

Mr. DOYLE. Witness, I direct you to answer.

As a matter of law, we are entitled to know who you are and where you were born. It is a matter of identification and rudimentary that we are entitled to know that. To say where you were born certainly cannot subject you to criminal prosecution.

Mrs. KATZ. Well, I was born in the city of Chicago. I don't see—I don't care to say anything further about it.

I decline to answer any further questions regarding it.

Mr. JOHANSEN. Even that is not incriminating, even being born in Chicago.

Mr. TAVENNER. When did you move to California?

Mrs. KATZ. I decline to answer that question on the grounds stated.

Mr. TAVENNER. What was your maiden name?

Mrs. KATZ. I decline to answer that question on the same grounds.

Mr. SCHERER. I ask, Mr. Chairman, that you direct the witness.

Mr. DOYLE. I instruct you to answer. Clearly we are entitled to have the identity of a person before us.

Mr. BROOKS. Excuse me just a minute.

Mr. DOYLE. Yes, go ahead, Counsel.

Mrs. KATZ. I decline to answer that question on the grounds stated.

Mr. SCHERER. Witness, how could telling us your maiden name possibly lead to a criminal prosecution?

Mrs. KATZ. Is that a question, or are you directing me to answer?

Mr. SCHERER. I am asking you a question.

Mrs. KATZ. I decline to answer that question.

Mr. SCHERER. You honestly believe that if you told us your maiden name, that might subject you in some way to a criminal prosecution?

Mrs. KATZ. I decline to answer the question on the grounds stated. I don't believe that it's pertinent to this investigation. I believe it is an infringement on my right to freedom of speech, and I invoke the first and the fifth.

Mr. JOHANSEN. We are not trying to obstruct your freedom of speech. We are trying to get a little——

Mrs. KATZ. I feel it is an infringement on my freedom of speech.

Mr. DOYLE. Well, I am going to make a direction again that you answer the question. It is clearly pertinent; I think the record shows why it is pertinent. It is also pertinent for a congressional committee to know who it is dealing with.

Mrs. KATZ. I decline to answer the question on the grounds stated.

Mr. TAVENNER. Will you advise the committee, briefly, what your formal educational training has been?

Mrs. KATZ. I decline to state—to answer the question on the same grounds.

Mr. SCHERER. Well, this is obviously a prostitution of the fifth amendment by this witness, and she obviously isn't invoking it in good faith, and I ask that you direct the witness, Mr. Chairman, to answer.

Mr. DOYLE. I direct you to answer that question.

Mrs. KATZ. Will you repeat the question, please?

Mr. TAVENNER. The question was whether you would advise the committee as to your formal educational training.

Mrs. KATZ. High school, graduated, and had approximately 2 years of college.

Mr. TAVENNER. Where did you have your college work?

Mrs. KATZ. At Crane College in Chicago.

Mr. TAVENNER. Have you attended school in California?

Mrs. KATZ. No, I haven't.

Mr. TAVENNER. How long have you been in California, as a resident?

Mrs. KATZ. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. TAVENNER. Well, you were here in 1942, weren't you?

Mrs. KATZ. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. TAVENNER. Was your residence in 1942 at 1229 East 36th Street?

Mrs. KATZ. I decline to answer that question on the grounds stated.

Mr. TAVENNER. I hand you an affidavit of registration, a photostatic copy of such an affidavit, bearing the signature of Mrs. Jeanne Katz.

Will you examine it, please, and state whether that is your signature?

Mrs. KATZ. I decline to answer——

Mr. JOHANSEN. Did the witness look at it before she declined to answer the first time?

Mr. DOYLE. No, she did not. I observed.

Mrs. KATZ. I——

Mr. TAVENNER. You can't deny it is your signature without looking at it.

Mrs. KATZ. I am not denying it is my signature.

I decline to answer the question.

Mr. TAVENNER. You do not deny it is your signature?

Mrs. KATZ. I decline——

Mr. DOYLE. She just said so.

Mr. TAVENNER. I offer the document in evidence and ask it be marked Katz Exhibit No. 1.

Mr. DOYLE. It will be so marked and received.

(Document marked "Katz Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Mr. Chairman, this Affidavit of Registration for voting purposes was subscribed and sworn to on the 27th day of June, 1942.

It states that the affiant is Mrs. Jeanne Katz and that her residence is 1229 East 36th Street.

It also shows the cancellation of her affiliation from Democratic and the change to Communist on September 21, 1942.

Were you a member of the Communist Party on September 21, 1942?

Mrs. KATZ. I decline to answer that question on the grounds of the first and fifth amendments to the Constitution.

Mr. TAVENNER. For how long a period, prior to 1942, were you a member of the Communist Party?

Mrs. KATZ. I decline to answer that question on the same grounds.

Mr. TAVENNER. Mr. John James O'Brien testified before this committee on February 11, 1957, at which time he identified you as a person known to him to be a member of the Communist Party. The date of which would be between the years of 1948 and 1951.

Were you a member of the Communist Party at any time during that period, that is from 1948 to 1951?

Mrs. KATZ. I decline to answer that question on the same grounds stated.

Mr. TAVENNER. At this time, you are a member of the Compton Club of the Communist Party, is that not correct?

Mrs. KATZ. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Do you have at this time any particular assignment within the Communist Party?

Mrs. KATZ. I decline to answer that question on the same grounds.

Mr. TAVENNER. We have learned during the course of this investigation of the Communist Party directive to operate in a popular-front manner.

We are quite aware of Gus Hall's statement in January of 1960, passing that Communist Party directive down to the rank and file.

We know of the emphasis placed upon the popular-front activities of the Communist Party by its local chairman, Dorothy Healey, and the fact that members of the Communist Party have been assigned to do that type of work in a great many mass organizations within this area.

Were you assigned to engage in that type of work in connection with the Women Strike for Peace?

Mrs. KATZ. I decline to answer that question on the grounds of the first and fifth amendments to the Constitution.

Mr. TAVENNER. Did you attend a meeting at the residence of Betty Willett, at 1011 Rosemont Avenue, Los Angeles, on January 19, 1962. * * *?

Mrs. KATZ. I decline to answer that question on the grounds of the first and fifth amendments to the Constitution.

* * * * * * *

Mr. TAVENNER. Are you a member of the Communist Party?

Mrs. KATZ. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. I have no further questions.

r. DOYLE. Mr. Tuck?

Mr. TUCK. I have no questions.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER No questions.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. No questions.

Mr. DOYLE. No further questions. Thank you, Witness and Counsel.

(Witness excused.)

Mr. DOYLE. Mr. Schneck, will you please rise and be sworn?

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCHNECK. Affirm.

Mr. DOYLE. You affirm instead of swear?

Mr. SCHNECK. Yes.

Mr. DOYLE. Let the record so show.

TESTIMONY OF MARCO SCHNECK, ACCOMPANIED BY COUNSEL, CLAUDE V. WORRELL

Mr. TAVENNER. Will you please state your name and spell it, please, both your first and last names?

Mr. SCHNECK. My name is M-a-r-c-o S-c-h-n-e-c-k.

Mr. TAVENNER. It is noted that the witness is accompanied by counsel.

Would counsel please identify himself for the record?

Mr. WORRELL. My name is Claude Worrell.

Mr. SCHNECK. May I ask the Chair a question?

I was subpenaed in front of this committee in 1959 and I received a telegram postponing me. The day I came, as per telegram, the committee had apparently left, and I think I am entitled to the witness fee, being as I came and was never informed that I didn't have to show up.

Mr. TAVENNER. Mr. Chairman, I agree with him entirely if that is a fact.

Mr. SCHNECK. I have the subpena with me.

Mr. TAVENNER. Did you get in touch with the committee about it?

Mr. SCHNECK. I went down to the Statler, I believe, a few minutes later and tried to call Mr. Walter, but he wasn't in.

Mr. TAVENNER. I suggest the staff take it up with him and try to settle the matter.

Mr. DOYLE. Yes, we will do that and we are glad you called it to our attention.

Mr. TAVENNER. You appear here pursuant to a subpena served on you?

Mr. SCHNECK. Yes.

Mr. TAVENNER. Where do you reside, Mr. Schneck?

Mr. SCHNECK. I'd like to question the legislative purpose or pertinence of this hearing.

Mr. DOYLE. Counsel, will you read the statement?

Mr. TAVENNER. Yes.

The committee's resolution, adopted January 17, 1962, authorizing these hearings, adequately sets forth the subjects and purposes.

This is in a statement that the chairman of the subcommittee made at the opening of these hearings. The resolution controlling the first phase of the hearings reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States * * *.

The chairman of the subcommittee also explained that at the time that resolution was passed, on January 17, the staff of this committee was assisting him in the preparation of a bill which he introduced on January 30 of this year, which is H.R. 9944, which amends the Internal Security Act of 1950—that is, amends the registration provisions of it—and makes membership in the Communist Party unlawful, and that bill has been referred to this committee, and these hearings relate to that.

Now, if you will proceed to answer the question, please.

Mr. SCHNECK. What was the question?

Mr. TAVENNER. The question was, Where do you reside?

Mr. SCHNECK. I am going to decline to answer that, first, because I think the mandate authorizing this committee is unconstitutional; I think the committee is not following the mandate, as stated, in any case; and, thirdly, I am going to call on all the rights, responsibilities,

privileges, and amenities granted me by the entire Constitution of the United States, and most specifically the first, fourth, and fifth and ninth amendments to the Bill of Rights.

Mr. DOYLE. I direct you to answer the question, Witness. You have heard the statement of the pertinency, and I believe a congressional committee is always entitled to know he identity of a person appearing before the committee.

Identity is always pertinent, and that is one of the purposes of that question. I direct you to answer.

Mr. SCHNECK. I have answered the question as to my name, thereby identifying myself. I am here by virtue of subpena which was served on me and I am declining to answer that question on the grounds of all the privileges——

Mr. SCHERER. What is the question?

Mr. TAVENNER. His address.

Mr. SCHNECK. —guaranteed me by the Constitution, and most specifically the first, fourth, fifth, and ninth amendments.

Mr. SCHERER. Witness, do you honestly believe that to answer the question as to where you live might lead to criminal prosecution?

Mr. SCHNECK. Yes, I do.

Mr. SCHERER. I want to compliment counsel in this case. This is the first counsel before us that understood the law with reference to that question.

Mr. TAVENNER. That is, the first one during these hearings.

Mr. Schneck, you stated that you are appearing here pursuant to a subpena served on you.

I hand you what purports to be a copy of the subpena.

Do you recognize that as a copy of the subpena served on you?

Mr. SCHNECK. It looks like it.

Mr. TAVENNER. Mr. Chairman, I offer the subpena in evidence and ask it be marked Schneck Exhibit No. 1.

I read the return by the deputy sheriff who served the subpena, which is as follows:

> I made service of the within subpena by delivering in person [to] the within-named person at his home, 3336 Hamilton Way, Apt. No. 4, Los Angeles, California, at 7:00 o'clock, a.m., on the 12th day of April, 1962. Dated April 12th, 1962. Peter J. Pitchess, by D. S. Epperson [Deputy].

Mr. DOYLE. The subpena will be received and so marked.

(Document marked "Schneck Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. What is your occupation, Mr. Schneck?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. Aren't you attending UCLA?

Mr. SCHNECK. Same answer.

Mr. TAVENNER. Aren't you enrolled in the Preventive Medicine Department of the University of California at Los Angeles?

Mr. SCHNECK. I decline to answer that on the same grounds previously stated.

Mr. TAVENNER. When and where were you born?

Mr. SCHNECK. I decline to answer that question also on the same grounds.

Mr. DOYLE. It manifestly could not subject you to criminal prosecution to state when and where you were born.

Mr. SCHNECK. The same answer holds.

Mr. TAVENNER. Weren't you born in Santiago, Chile, on October 3, 1931?

Mr. SCHNECK. Would you repeat that, please?

Mr. TAVENNER. Weren't you born in Santiago, Chile, on October 3, 1931?

Mr. SCHNECK. Same answer.

Mr. JOHANSEN. Mr. Chairman, this is not an answer. In other words, if he wishes to decline on the same grounds——

Mr. SCHNECK. I decline to answer on the grounds previously stated, and again the constitutional guarantees, and most specifically the first, fourth, fifth, and ninth amendments.

Mr. SCHERER. I think we should have a direction for the witness to answer when and where he was born, because I cannot possibly see how that might lead to a criminal prosecution.

Mr. DOYLE. I direct you to answer the question, Witness.

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. SCHERER. Are you a citizen of the United States, sir?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. SCHERER. I ask that you direct the witness to answer the question.

I asked whether he was a citizen of the United States; that cannot possibly incriminate him.

Mr. DOYLE. I direct you to answer the question, Witness.

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Will you advise the committee, please, what your formal educational training has been?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. May I have a direction that the witness answer the question?

Mr. DOYLE. I direct the witness to answer that question.

Mr. SCHNECK. Decline to answer on the grounds previously stated.

Mr. SCHERER. Do we have any information, Counsel, as to whether this witness is a citizen of the United States?

Mr. TAVENNER. No, sir, I do not.

Mr. DOYLE. Have you asked him whether or not he was naturalized?

Mr. TAVENNER. I have asked him where he was born.

Mr. DOYLE. Witness, what is the name of the community or the town in Chile where you were born?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. DOYLE. I instruct you to answer. It is ridiculous for you to undertake to claim the constitutional provision, in our judgment, as to where you were born.

Mr. SCHNECK. I don't think it's ridiculous and I decline to answer on the grounds previously stated.

Mr. JOHANSEN. Mr. Chairman, I think that we might pursue the question of his entry into the United States.

Mr. DOYLE. That is right.

Mr. SCHERER. Obviously there must be something wrong. I would suggest that counsel for the committee in the investigation make inquiry as to whether this man is a citizen of the United States and

in view of his testimony here today, if it should develop that he is a naturalized citizen, we might consider referring the matter to the Justice Department.

Mr. TAVENNER. How long have you lived in California, Mr. Schneck?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. SCHERER. Is this man an exchange student of any kind?

Mr. TAVENNER. No, sir, I don't think so. Our information is that his parents live in Los Angeles, which I think would disqualify him from being in that category.

Our investigation does show that he arrived in California in 1944; that would also eliminate the matter that you are referring to.

Mr. JOHANSEN. Does it indicate that his parents are citizens of the United States, or natives of the United States?

Mr. TAVENNER. We do not know.

Mr. Schneck, were you not identified with the American Youth for Democracy while that organization was in existence?

Mr. SCHNECK. Would you explain, please, what you mean by "identified"?

Mr. TAVENNER. Yes, were you a member of it?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. When the American Youth for Democracy went out of existence, were you one of the leading figures in building the succeeding organization, known as the Labor Youth League?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. In 1958, did you not become a member of the Youth Commission of the Communist Party in the Southern District of California?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. At the time this committee endeavored to hear you in 1959, the investigation disclosed that you had attended the First Convention of the newly formed Southern California District of California, which was held on April 13–14, 1957.

Was that a correct statement, that you did attend such a convention?

Mr. JOHANSEN. That was of the Communist Party?

Mr. TAVENNER. Of the Communist Party, yes.

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you also attend the second session of the Second Convention of the Communist Party of the Southern District of California, which was held in January of 1960?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The committee's investigation has disclosed that you were elected on January 31, 1960, as one of the 30-member District Committee of the Communist Party for the Southern District of California, a newly organized group; is that correct?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Charlene Mitchell, chairman of the Youth Commission of the Southern California District of the Communist Party, delivered a lengthy report on party youth work at the first session of the Second Convention of the Southern California District of the Communist Party. (See Dobbs Exhibit No. 14.[2])

Are you familiar with the contents of her report?

[2] Ibid., p. 145.

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. This report, which was approved by the convention, stated that the organization of young Communists in Los Angeles has taken many forms since the dissolution of the Labor Youth League, but the present organization was a Communist Party youth club.

Now, were you a member of the Los Angeles Communist Party Youth Club?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The main task for Communist youth, this report states, is to master the party's united-front strategy.

This is explained as finding "ways and means of establishing more extensive personal contacts and friendships, and wider formal and informal organized political relationships" with others. United action on certain issues must be sought with left-wing, progressive, middle-of-the-road, and even conservative forces, this report states.

Will you tell the committee, please, what you consider to be the purposes of such united-front activities by the Communist youth groups?

Mr. SCHNECK. Are you asking for my opinion?

Mr. TAVENNER. Yes, sir.

Mr. SCHNECK. I don't choose to give you my opinion on that.

Mr. TAVENNER. I did not mean to ask you for your opinion. I am asking for your knowledge of the purposes.

Mr. SCHNECK. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. What purpose would such united-front activities serve? What purpose is it sought to serve?

Mr. SCHNECK. Is that a question as to my knowledge?

Mr. TAVENNER. Yes, sir.

Mr. SCHNECK. I decline to answer it on the grounds previously stated.

Mr. TAVENNER. By "contact with mass organizations of young people" and using the "correct united front approach," the party youth organizations seek to recruit other young people into supporting Communist causes and eventually into active party membership; is that not true?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. The chairman of the District Youth Commission, that is Charlene Mitchell, found it an encouraging sign that a large delegation from southern California attended the Seventh World Youth Festival in Vienna in 1959.

These festivals are sponsored by the Communist-controlled International Union of Students and the World Federation of Democratic Youth, are they not?

Mr. SCHNECK. If that is a question, I decline to answer on the grounds previously stated.

Mr. TAVENNER. What preparations have been made for encouraging a large delegation to the Eighth World Youth Festival, which will be held in Helsinki in the summer of 1962?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. In fact, a meeting was sponsored by the Helsinki Organizing Committee for the Eighth World Youth Festival and was held in your home at 3336 Hamilton Way, Los Angeles; was it not?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The purpose of this Helsinki Organizing Committee meeting in your home was to organize a group of Communist and pro-Communist students to attend the Festival in Helsinki, was it not?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The original name of the Helsinki Organizing Committee was changed to the Los Angeles Festival Committee, was it not?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. And you were made the chairman of this committee, were you not?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, may I offer in evidence as Exhibit No. 2 a photostatic copy of a letter bearing date, November 18, 1961, bearing the letterhead "Los Angeles Festival Committee, 1283 Redondo Blvd., Los Angeles 19, Calif." signed—or purportedly signed by Marco Schneck, chairman, Los Angeles Festival Committee.[3]

May it be introduced in evidence and marked Schneck Exhibit No. 2?

Mr. DOYLE. It will be so received and so marked.

Mr. TAVENNER. Will the witness please examine the letter and state whether or not the signature there is a facsimile of his signature?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did the witness look at the letter before he answered my question?

Mr. DOYLE. I did not observe him doing so. His counsel——

Mr. SCHNECK. I saw the letter.

Mr. DOYLE (continuing). His counsel looked at it, the witness did not.

Mr. SCHNECK. I saw it.

Mr. TAVENNER. You saw the letter, but you did not have an opportunity to see the signature, did you?

Mr. DOYLE. I observed him very carefully. He did not look at the exhibit.

Mr. SCHNECK. To rest your minds, I see it now and I have the same answer.

Mr. JOHANSEN. I think it's in order to mention—I don't know that it's in any way improper—but he's been much more assiduous in making notes and sort of do-it-yourself stenographer, apparently, than he is in viewing exhibits.

Mr. TAVENNER. I think, Mr. Chairman, it is very significant that the witness would refuse to answer the question before he had seen the signature that was presented to him.

Now, Mr. Chairman, I would like to read this letter for the information of the committee.

[3] Ibid., p. 184.

November 18, 1961.

Dear friend;

This is to introduce ourselves to you. We are a newly established service organization whose purpose is to acquaint young people of the Southern California area with the VIII World Youth Festival, to be held in Helsinki, Finland in the summer of 1962, and to encourage and assist their participation in it.

We feel that the problem of ensuring peace cannot be ignored by American Young people. The events of the Helsinki Festival will help create a basis for international understanding, and be a step toward the reduction of existing world tensions.

We are planning a conference on Sunday, Nov. 19, from 1:00 to 4:00 P.M. at 1251 So. St. Andrews Pl. L.A. We are inviting both individuals and representatives of various church youth groups, student organizations, cultural groups, etc., to attend (without commitment or obligation of course). Our aim is to acquaint young people with the Festival and with our Committee.

We hope to be able to present a film of the 1959 (VII) Festival in Vienna, to present our plans for the coming months, and to answer questions.

Enclosed you will find a fact sheet and a self addressed post card for your early remittance.

Hoping to hear from you soon,

/s/ Marco Schneck
Marco Schneck
Chairman, L.A. Festival Comm.

Mr. Doyle. The date of that letter?

Mr. Tavenner. November 18, 1961.

Mr. Doyle. Is there a return address on the letter?

Mr. Tavenner. Yes, it's Los Angeles Festival Committee, 1283 Redondo Boulevard, Los Angeles 19, California.

Mr. Schneck, on November 18, 1961, the date of that letter, were you a member of the Youth Commission of the Communist Party for the Southern District of California?

Mr. Schneck. I decline to answer on the grounds previously stated.

Mr. Tavenner. Mr. Schneck, you and Paul Rosenstein made a trip to Chicago to the United States Festival Committee convention, did you not?

Mr. Schneck. I decline to answer on the grounds previously stated.

Mr. Tavenner. The United States Festival Committee is the administrative group organized to handle information and policy of the group attending the Eighth World Youth Festival, isn't that true?

Mr. Schneck. I decline to answer on the grounds previously stated.

Mr. Tavenner. Does not the plan for recruitment of young people to attend this Festival require that each applicant take and file an application with the U.S. Festival Committee before he is allowed to attend as a delegate to Helsinki, is that right?

Mr. Schneck. I decline to answer on the grounds previously stated.

Mr. Tavenner. And the reason for that requirement is that those responsible, in your area, for recruiting young people want to avoid any possibility of trouble in the next World Youth Festival by attendance of young people who are actually pro-American students, instead of pro-Communist students; isn't that true?

Mr. Schneck. I decline to answer that on the grounds previously given.

Mr. Tavenner. You are engaging now in a plan to attempt to eliminate from attendance at this Festival in Helsinki persons that you consider are pro-American students?

Mr. Scherer. And to get those that are pro-Communist?

Mr. TAVENNER. That is right.

Mr. SCHNECK. I didn't understand that as a question.

Mr. TAVENNER. Shall I repeat it?

Mr. SCHNECK. Was it a question?

Mr. TAVENNER. Oh, yes.

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. SCHERER. That is the freedom of speech he's talking about.

Mr. DOYLE. It is the declination of freedom of speech.

Mr. SCHERER. They prate so much about freedom of speech and charge this committee with depriving people of freedom of speech. They are the greatest offenders.

Mr. SCHNECK. That's your opinion, not mine.

Mr. SCHERER. Is my opinion wrong? Go ahead.

Mr. SCHNECK. Thank you.

Mr. DOYLE. You volunteered an observation there, Witness.

Mr. Scherer asked you a dignified question. What is your answer?

Mr. SCHNECK. I don't have to give an answer, Mr. Chairman.

Mr. DOYLE. You volunteered an oral observation there to Mr. Scherer.

Mr. SCHNECK. I volunteer when I please, as I understand it.

Mr. DOYLE. Yes, you can under the U.S. Constitution, thank God. You can't under other regulations.

Mr. SCHERER. I just asked him whether what I said was wrong; is it wrong, Witness?

Mr. SCHNECK. Mr. Scherer, that was your opinion, and all I said was that that was your opinion.

Now, I don't choose to enter into a long discussion with you; certainly not on your territory.

Mr. SCHERER. I asked you the question whether what I said is not correct.

Mr. SCHNECK. And I said that I don't intend to enter into discussion of this sort with you.

Mr. SCHERER. I ask you to direct the witness to answer the question.

Mr. DOYLE. Yes, you are at liberty to answer the question. I instruct you to answer the question.

Mr. SCHNECK. Would you repeat the question, please?

Mr. SCHERER. The question was whether or not you are engaged in a plan, right now, to prevent the attendance of pro-American students at the next Youth Festival in Helsinki and to fill that delegation with pro-Communists, like yourself, or Communists like yourself?

Now, is anything in that statement I made untrue?

Mr. SCHNECK. Mr. Tavenner asked me the same question; I answered it; and your question, I answered the same way, for the grounds previously stated.

Mr. JOHANSEN. Let the record show that, on each occasion of the reference by counsel or a member of the committee to pro-American students, there has been a very obvious smirk on the witness' face. I have observed it very carefully.

Mr. DOYLE. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Mr. Chairman, I offer in evidence and ask that it be marked Schneck Exhibit No. 3, a flier, making reference to the Youth Festival.[4]

May it be received in evidence?

Mr. DOYLE. It will be so received and marked.

Mr. TAVENNER. Will you hand it to the witness for his examination, and I want to state for the benefit of the witness, as well as the committee, that the note at the bottom was not part of the original flier, but was added onto it by the staff of the committee, because it represented the names of the owners of the residence referred to in the flier.

Mr. DOYLE. And does it name the owners or just the address?

Mr. TAVENNER. No, the document itself refers to the meeting to be held at a certain address.

The staff has checked this address and found it to be the address of the persons named on the document, which the committee has named on the document.

Do you recall sending out that flier?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I would like to read this document, please.

Hear a report from our representatives to the National Conference being held in Chicago this weekend. The Conference is being called to initiate a National Festival Committee to insure U.S. participation.

Travel agents inform us that time is running short for insuring European passage. . .

For specific information. . . .

COME HERE ALL!! THURSDAY, Oct. 19, (this year)—1961, 8:00 p.m. sharp!!

1758 No. Alexandria LA

labor tearfully donated—For more information call No 40851.

Now, the "No" notation stands for the Normandy telephone exchange, I am advised.

The office note placed on the bottom is that the address of 1758 North Alexandria, LA, is the address of Hugh and Dorothy Forest DeLacy.

Mr. Schneck, in the Youth Report made by Charlene Mitchell at the Second Convention of the Communist Party of the Southern District of California, reference is made to the ability of district party chairman, Dorothy Healey, to obtain speaking engagements on college campuses, and this was described as an achievement for the Communist Party.

Do you recall that?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you take part in the program of getting Dorothy Healey accepted as a speaker on college campuses?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The Southern California District Convention, that is, the Second Convention, approved the following proposals from its District Youth Commission chairman: (1) a party program of "popularizing the ideas of socialism and the goals and the meaning" of the party by issuing printed material, holding forums in the name of the party on youth issues, and conducting non-member classes; (2) encouragement of Marxist study groups; and (3) organization of "teenagers who are or who would be close to the movement."

[4] Ibid., p. 185.

What part have you played in the carrying out of this program?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. To what extent has this program been carried out?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. In the area of "mass activity", by which is meant Communist activity directed toward non-Communist youth, the convention approved the report's declaration that Communists must "join in every activity around the issues confronting the students"—issues ranging from academic freedom and opposition to compulsory R.O.T.C., to college quota systems and scholarships.

Have young Communists in the Southern California District carried out this program?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. Have you participated in carrying out this program?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The District Youth Commission chairman admitted that, as of November 1959, the party had not even begun to establish profitable contacts with non-Communist working youth and youth belonging to minority groups.

However, her [Charlene Mitchell's] report boasts that "in a very embryonic stage there are developments on the campuses in which our young people are very active."

Will you describe the campus developments in which the young Communists have been said to be very active?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. A resolution on party youth work was also submitted to the Southern California District Convention from the "District Board and Youth Clubs." That appears, Mr. Chairman, in Dobbs Exhibit No. 4, Resolution No. 25.[5]

Are you familiar with this resolution?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. The resolution takes note of the "rebellionness" of youth and states that the party's role is to help "channel" this spirit into "constructive activities."

As used here, "constructive activities" would include activity in behalf of the Communist Party, don't you agree?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. This resolution, in addition to affirming the proposals in the District Youth Commission's report, states the party must "start laying the basis for the growth of a leftwing youth movement" by establishing "classes, teen-age clubs, study groups, forums, etc." The resolution also declares that: "New and exciting methods have to be found. If youth groups will listen to us, debate with us, talk with us, or what have you, this is all to the good." And I am quoting from the report.

Is not one of the new methods, the appearance of Communist leaders before non-Communist student groups?

[5] Ibid., p. 72.

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. Do you make it a practice to appear at the instance of the Communist Party before non-Communist student groups?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. SCHERER. May I ask where the witness is a student at the present time, at what university?

Mr. TAVENNER. The witness refused to answer the question when I told him it was the committee's information that he was in attendance at UCLA, and in the Medical Section or Department.

Mr. WHEELER. He is an employee.

Mr. TAVENNER. Employee, what capacity?

I may have given the impression that he was a student.

I am advised now that he is employed in some capacity, and if you will bear with me just a moment, I will attempt to find out more.

Mr. Chairman, all that our investigation reflects in regard to it is that the witness is employed in the Preventive Medicine Department of the University of California in Los Angeles, UCLA.

Mr. SCHERER. Does our investigation disclose whether that department receives any Government grants or has any research projects? Will you instruct Mr. Wheeler to make such an investigation to determine—to make sure this witness' work is at the university, and whether or not he engages——

Mr. DOYLE. I am quite sure UCLA receives very substantial sums of Federal money.

Mr. TAVENNER. We certainly will, and endeavor to give you an answer to that question before we leave Los Angeles.

Mr. SCHERER. I would be particularly interested in what type of research program for the Federal Government, if any, this witness has contact with, and whether he directly or indirectly is the recipient of any Federal moneys.

Mr. TAVENNER. Mr. Chairman, that investigation will be made, and the report made to the subcommittee before it leaves Los Angeles. (See pp. 219.)

Mr. SCHERER. They do some classified research work, too, at the University of California, do they not, Mr. Wheeler?

Mr. WHEELER. Yes, sir.

Mr. DOYLE. Dr. Stafford L. Warren, the head of the medical division, is one of the outstanding men in American medicine. I happen to know him.

Mr. TAVENNER. Mr. Schneck, this resolution which we have been discussing also describes the main task of party youth as the infiltration of, and establishment of, party influence in non-Communist youth groups, and I quote from the report as follows:

> The establishment of close individual ties with youth groups and organizations containing numbers of young people, will be the most important contribution our youth can make. It is here, that party youth will make a contribution * * * to the establishment of a friendly and receptive attitude towards Socialist thinking upon youths part.

This type of infiltration effort is being made by the Communists at this very time, is it not?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. It has been made in connection with these hearings, has it not?

Mr. SCHNECK. Will you repeat that, please?

Mr. TAVENNER. It has been made—this type of effort is being made now in connection with these hearings?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. The committee has had extensive hearings in Washington, from which the Communist Party line has been traced down from a foreign source to the Communist Party of the United States.

We are quite aware of the implications from what is known as the Main Political Resolution of the Communist Party's last national convention and of Gus Hall's January 20, 1960, statement, in which he handed down to the rank-and-file membership that Communist line, namely, operation on a united-front basis.

This is also very apparent from the activities of the convention of the Southern California Communist Party—the Second Convention, held here in Los Angeles.

Now, I want to ask you whether or not you have participated, in line with that Communist policy of united-front activity, in demonstrations in Los Angeles?

For instance, on July 9, 1960, in connection with what was known as the "Walk and Rally for Disarmament March," did you take part in that demonstration?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you not present on April 30, 1960, at a May Day meeting held at the Embassy Auditorium, Ninth and Grand, Los Angeles, sponsored by the May Day Committee of the Southern California District of the Communist Party?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. Did you not, on November 18, 1961, attend and participate in a peace rally sponsored by "Help Establish Lasting Peace"?

Mr. SCHNECK. Was that the end of the question?

Mr. TAVENNER. Yes.

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I offer in evidence a photograph, Mr. Chairman, and ask that it be marked Schneck Exhibit No. 4.[6]

Mr. DOYLE. It will be so received and so marked.

Mr. TAVENNER. And I will ask you if that is a photograph of you?

Mr. DOYLE. Let the record show that the witness and his counsel are examining the exhibit.

Mr. SCHNECK. Is there a question pending?

Mr. TAVENNER. Yes, I am asking you if that is a photograph of you?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I hand the photograph to the committee, so that they may examine it.

Mr. DOYLE. I ask the other three members of the committee to observe this photograph, which is offered as an exhibit, of the witness.

[6] Ibid., p. 241.

Mr. TUCK. It is evident that the man in the photograph is the witness before us, one and the same.

Mr. DOYLE. Well, that is my opinion. I am looking at the witness and I look at the photograph.

No question about it, it is one and the same person. It is a pretty good picture, Witness. I shouldn't think you'd hesitate to recognize yourself as a good-looking lad.

Mr. SCHERER. No, I don't agree with that conclusion. I don't agree with that last statement.

Mr. DOYLE. Well, he takes a fine picture.

Mr. SCHERER. I don't agree with that. I am disgusted.

Mr. TUCK. You agree that the photographer did a good job?

Mr. SCHERER. Photography, period.

Mr. DOYE. Well, it is good we can all smile at something in connection with this.

Mr. SCHERER. I can't even smile. We're at war, Mr. Chairman.

Mr. DOYLE. That is correct.

Mr. SCHERER. I can't even smile.

Mr. TAVENNER. Mr. Schneck, did you participate in organizing the committee known as the Walter Reception Committee, when he spoke here in Los Angeles on March 19, 1962?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you actively participate in the demonstration of that organization on March 19, 1962?

Mr. SCHNECK. I decline to answer on the grounds previously stated.

Mr. DOYLE. Are you referring to Mr. Walter, the chairman of this committee?

Mr. TAVENNER. Yes, the chairman of this committee.

Mr. DOYLE. Who is not with us today.

Mr. SCHERER. What was that?

Mr. TAVENNER. I asked the witness if he participated in the demonstration of the Walter Reception Committee when Mr. Walter, the chairman of this committee, spoke here in Los Angeles, on March 19, 1962.

The witness refused to answer the question, and I would now like to offer in evidence a photograph and ask that it be marked Schneck Exhibit No. 5.[7]

Mr. SCHERER. Was that the committee that said, in effect, that if we could press Walter far enough, he would end up in a McCarthy grave, isn't that the committee that said that?

Mr. TAVENNER. I think not.

Mr. JOHANSEN. I think that was New York.

Mr. DOYLE. The exhibit will be received and marked.

Mr. TAVENNER. Will you examine Exhibit No. 5 and state whether it contains a photograph of you?

Mr. SCHNECK. Would you repeat that, please? I didn't catch it. I was examining the photograph.

Mr. TAVENNER. Examine the photograph and state whether or not it contains a photograph of you.

Mr. DOYLE. Let the record show that the witness and his counsel are both examining the photograph.

Mr. SCHNECK. I decline to answer on the grounds previously stated.

[7] Ibid., p. 186.

Mr. TAVENNER. I hand it to the chairman, the photograph in question, as the one of the individual carrying the placard on which you can see the words, "No Democracy."

Mr. DOYLE. Boy, his lips are tightly sealed.

The other members of the committee join me in looking at it.

Mr. TUCK. I think unquestionably it is the same person.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. It is the same.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. I agree.

Mr. DOYLE. There is no question in my mind.

We also had a reception committee for this subcommittee the other day. We were told there would be as many as 2,000 to 5,000 in the line. The newspapers say there never was more than 800, and this morning there are about 30. Got cold feet, apparently, or else realized that they should be ashamed of themselves.

So they quit, even students from UCLA quit.

* * * * * * *

Mr. TAVENNER. You were a member of the Independent Student Union, weren't you?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

* * * * * * *

Mr. TAVENNER. You yourself are a member of the Youth Commission of the Communist Party, are you not, right now?

Mr. SCHNECK. I decline to answer that on the grounds previously stated.

* * * * * * *

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Yes, sir.

Mr. TUCK. I have no questions.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. No questions.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. No questions.

Mr. DOYLE. I have no questions.

Thank you, Counsel, that completes our questioning at this time.

The staff will proceed to complete the investigation, which you haven't had time yet to complete, with regard to this?

Mr. TAVENNER. Mr. Chairman, I suggest that this witness be kept under subpena and be directed to report back on Friday afternoon of this week.

Mr. DOYLE. At what hour?

Mr. TAVENNER. At 2 o'clock.

Mr. DOYLE. Witness, you will be kept, therefore, under the subpena which you have acknowledged receiving, and the further hearing in your matter will be continued to 2 o'clock, Friday of this week.

Mr. SCHNECK. Mr. Chairman, my counsel informs me he is going to be in San Diego on that date and that time. It is not going to afford me enough time.

Mr. DOYLE. Maybe your counsel needs to appear with you and can make other arrangements.

Three members of this committee are lawyers. We understand the obligations of counsel.

There is no doubt the court down there will grant a continuance in this emergency, if counsel asks it.

Mr. SCHNECK. Counsel will attempt to be present, but in any case, if he is not able, it's not going to afford me reasonable time to get additional, other counsel.

Mr. DOYLE. We expect counsel to make arrangements. We are experienced with California courts; we know they accommodate counsel very graciously, don't they, Counsel?

Mr. WORRELL. Usually.

Mr. DOYLE. Sure they will. We will look forward to having counsel with us again on Friday.

Mr. WORRELL. Fine.

Mr. DOYLE. Thank you, very much, until Friday afternoon at 2 p.m.

(Witness excused.)

Mr. DOYLE. The committee will stand in recess for 5 minutes.

(Short recess.)

Mr. DOYLE. I neglected to have the record show that at the hearings this morning, all members of the subcommittee were present.

Let the record show that that is the case.

Mr. TAVENNER. And that they have all been present.

Mr. DOYLE. They have all been present all through this morning's proceedings, up to this time. Four members of the subcommittee. The only absent member is Mr. Willis of Louisiana.

Mr. DOYLE. Mr. Rosenstein, will you please rise and be sworn?

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROSENSTEIN. I do.

TESTIMONY OF PAUL ROSENSTEIN, ACCOMPANIED BY COUNSEL, ROBERT L. BROCK

Mr. TAVENNER. Will you state your name, please, sir?

Mr. ROSENSTEIN. My name is Paul Rosenstein.

Mr. TAVENNER. It is noted that the witness is accompanied by counsel.

Will counsel please identify himself for the record?

Mr. BROCK. Robert L. Brock.

Mr. TAVENNER. When and where were you born, Mr. Rosenstein?

Mr. BROCK. I would like the committee to read a statement of pertinency.

Mr. TAVENNER. Very well.

The chairman of the subcommittee, at the opening of the hearing, made an opening statement in which he stated that the resolution passed by this committee on January 17, 1962, adequately set forth the subjects and the legislative purposes of different phases of these hearings.

And the resolution controlling this phase of the hearings reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives, and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress

in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States * * *.

The chairman of the subcommittee also explained that at the time that resolution was passed, on January 17, the staff of this committee was assisting him in the preparation of a bill which he introduced on January 30 of this year, which is H.R. 9944, which amends the Internal Security Act of 1950—that is, amends the registration provisions of it—and makes membership in the Communist Party unlawful, and that bill has been referred to this committee, and these hearings relate to that.

Mr. BROCK. Thank you.

Mr. TAVENNER. Now, will you answer the question, please?

Mr. ROSENSTEIN. Well, I'd like to make clear at this point that I refuse to answer any questions put to me by this committee. I refuse on the basis of the rights granted me under the Constitution.

Mr. TAVENNER. Just a moment, do not answer at this time what position you are going to take about questions which have not been asked.

I think the witness should be confined to the question.

Mr. ROSENSTEIN. I refuse to answer this question—the question on the basis that it does not appear to be pertinent to the subject under investigation, and I claim all those rights granted to me under the Constitution, specifically, the rights granted me under the first and fifth amendments.

Mr. DOYLE. May I suggest this to the witness, we, of course, don't object to your making notes.

The previous witness made notes and took them across the hall and read his notes to you and the other witnesses who are coming here, but don't make such notes that it delays the procedure of the committee.

He made such voluminous notes that he didn't hear questions at times and we had to repeat the question.

Mr. BROCK. He won't do that, Mr. Doyle.

We are here and just as anxious to get out as you are to get us out.

Mr. DOYLE. You get my point—don't slow up the committee by making so many notes that you don't hear the questions.

Mr. BROCK. He won't. We'd like to get out of here too.

Mr. TAVENNER. The committee's investigation indicates that you are now employed with Twentieth Century Fox at 1612 W. 20th Street. Is that correct?

Mr. ROSENSTEIN. I refuse to answer on the same grounds previously stated.

Mr. TAVENNER. The committee's investigation also reflects that you are presently attending—no, that in 1960 you were attending Los Angeles City College.

Did you attend that college?

Mr. ROSENSTEIN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. What has been your education—formal educational training?

Mr. ROSENSTEIN. I refuse to answer the question on the same grounds.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question.

Mr. DOYLE. I direct you to answer the question, Witness.

Mr. SCHERER. How could that possibly incriminate him, to tell us what his educational background has been?

Mr. ROSENSTEIN. I refuse to answer the questions on the same grounds, as questions not pertinent to the subject under investigation and the rights afforded me under the Constitution do not require that I answer this question.

Mr. JOHANSEN. Are you telling the committee that, if you answered this question, you would open yourself to criminal action or be involving yourself in self-incrimination?

Mr. ROSENSTEIN. I've already answered this question adequately.

Mr. JOHANSEN. You haven't answered my question.

Mr. DOYLE. I direct you to answer Mr. Johansen's question he has directed to you.

Mr. ROSENSTEIN. I refuse to answer that question on the same grounds.

Mr. JOHANSEN. Then I suggest there is very questionable good faith in the invocation of the fifth amendment.

Mr. DOYLE. The record will so show.

Mr. TAVENNER. Were you a student in the Engineering Department at the University of California at Berkeley between September 1959——

Mr. DOYLE. Now, Witness, I called your attention—don't be writing, please.

Mr. BROCK. He's hearing, Mr. Doyle.

Mr. DOYLE. No, he's writing. He's not even paying any attention to the counsel.

Mr. BROCK. I guarantee you, he could repeat the question verbatim at this point, Mr. Doyle.

There hasn't been any delay on your part; there won't be.

Mr. DOYLE. Of course, may I take this—if the witness has made up his mind, as he indicated, to not answer any questions, this explains that he doesn't have to pay any attention to the question, because the stock answer is going to be refusal.

Mr. BROCK. He's paying attention. He heard it. Didn't you?

(The witness nodded in the affirmative.)

Mr. DOYLE. It is manifest he is not paying attention.

Mr. BROCK. Even I've forgotten it now, may we start again?

Mr. TAVENNER. Yes, I will repeat the question.

Were you a student at the University of California at Berkeley——

Mr. BROCK. I will take the notes so you will know the question.

Mr. TAVENNER. —between September 1959 and January 1960——

Mr. ROSENSTEIN. I refuse——

Mr. TAVENNER. —in the Engineering Department?

Mr. ROSENSTEIN. I refuse to answer the questions on the grounds previously stated.

Mr. TAVENNER. I've already asked you whether you attended Los Angeles City College in 1960.

While you were at Los Angeles City College, did you become the financial chairman of the Independent Student Union?

Mr. ROSENSTEIN. I refuse to answer this grounds on the questions—on the basis of the previous statements and my answer before.

Mr. TAVENNER. Were you also on the executive council at Los Angeles City College and associated with the Student Civil Liberties Union, a branch of the American Civil Liberties Union?

Mr. ROSENSTEIN. I refuse to answer this question on the same basis.

Mr. SCHERER. Were you not at the same time a member of the Communist Party?

Mr. ROSENSTEIN. I refuse to answer that question on the same basis.

Mr. SCHERER. The fact is that you were a member of the Communist Party, were you not, at that time?

Mr. ROSENSTEIN. Same answer.

Mr. JOHANSEN. You mean the same non-answer.

Mr. ROSENSTEIN. Same answer.

Mr. JOHANSEN. In other words, you are saying you decline to answer on the grounds stated, is that correct?

Mr. ROSENSTEIN. That is correct.

Mr. TAVENNER. Was the head of the Independent Student Union in Los Angeles, up until the time—up until a few weeks ago, a person by the name of Franklin Alexander?

Mr. ROSENSTEIN. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Is Franklin Alexander a brother of Charlene Mitchell of the National Committee of the Communist Party of the United States?

Mr. ROSENSTEIN. I refuse to answer the questions on the grounds previously stated.

Mr. TAVENNER. Did you take part in organization of a group which called itself the Walter Reception Committee?

Mr. ROSENSTEIN. I refuse to answer the questions on the same basis.

Mr. TAVENNER. Did you participate in a demonstration here in Los Angeles on March 19, 1962, put on by the Walter Reception Committee?

Mr. ROSENSTEIN. I refuse to answer the questions on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photograph which I would like to have admitted in evidence and marked, Rosenstein Exhibit No. 1.[8]

Mr. DOYLE. It will be so received and so marked.

Mr. TAVENNER. Will you examine this photograph, please, and state whether or not the picture at the left—at your right of the photograph is a picture of you?

Mr. DOYLE. Let the record show that counsel and the witness are both examining the photograph exhibit, the witness viewing both the front and the back thereof.

Mr. ROSENSTEIN. I refuse to answer the questions on the grounds that the picture speaks for itself; on the basis of my statements earlier.

Mr. TAVENNER. I hand the photograph to the chairman so that the subcommittee members may see what the photograph says. As the witness says, it speaks for itself.

Mr. DOYLE. It does.

I am asking the other members of the subcommittee to look at the photograph, the young man on the right side of the photograph.

Mr. TUCK. I think he can be easily identified as the same person.

Mr. JOHANSEN. No question that it speaks for itself and that it is the witness.

[8] Ibid., p. 186.

Mr. DOYLE. I concur, and it speaks loudly, Witness, that you are one and the same person shown in this photograph.

Mr. TAVENNER. Is the Independent Student Union now in existence under that name?

Mr. ROSENSTEIN. I refuse to answer the questions on the grounds previously stated.

Mr. TAVENNER. Isn't it a fact that the Union dissolved because of the identification of so many members of the Communist Party in its activities?

Mr. ROSENSTEIN. I refuse to answer the questions on the grounds previously stated.

* * * * * * *

Mr. TAVENNER. Are you now a member of Youth for Peace and Socialism?

Mr. ROSENSTEIN. I refuse to answer the questions on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ROSENSTEIN. I refuse to answer the questions on the grounds previously stated.

Mr. TAVENNER. Did you participate on July 9, 1960, in a demonstration known as Walk and Rally for Disarmament?

Mr. ROSENSTEIN. I refuse to answer the questions on the grounds previously stated.

Mr. TAVENNER. Have you been active in an organization which is recruiting attendance of young people at the Helsinki Youth Festival, to be held in July and August of 1962?

Mr. ROSENSTEIN. I refuse to answer the question on the grounds previously stated.

Mr. TAVENNER. Is the name of that organization the Los Angeles Youth Festival Organization? Excuse me——

Mr. ROSENSTEIN. Same grounds.

Mr. TAVENNER. —the name is Los Angeles Festival Committee.

Mr. ROSENSTEIN. Same grounds.

Mr. TAVENNER. Did you attend a convention in Chicago, along with Marco Schneck, of the United States Festival Committee?

Mr. ROSENSTEIN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Are you now engaged in attempting to carry out the Communist Party decisions to work on a popular-front basis with mass youth organizations?

Mr. ROSENSTEIN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Any questions?

Mr. SCHERER. I have no questions.

Mr. JOHANSEN. No questions.

Mr. DOYLE. We have no further questions.

You are excused, thank you, Counsel.

(Witness excused.)

Mr. DOYLE. We will recess until 1 o'clock.

(Whereupon, at 11:30 a.m., Wednesday, April 25, 1962, the subcommittee recessed, to reconvene at 1 p.m., of the same day.)

AFTERNOON SESSION—WEDNESDAY, APRIL 25, 1962

Mr. DOYLE (presiding). The meeting will be in order.

(Discussion off the record.)

Mr. DOYLE. Let the record show that the committee reconvenes at 1:10 p.m., and the subcommittee members present are: Representatives Scherer, Johansen, Tuck, and Doyle (presiding).

Will the witness please rise and be sworn?

Mr. Potash, do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POTASH. I do.

Mr. DOYLE. Be seated, please.

TESTIMONY OF LEONARD HARRY POTASH, ACCOMPANIED BY COUNSEL, CLAUDE V. WORRELL

Mr. TAVENNER. You are Mr. Potash?

Mr. POTASH. Yes, I am.

Mr. TAVENNER. Will you state your full name, please?

Mr. POTASH. Leonard Potash.

Mr. TAVENNER. Do you have a middle name?

Mr. POTASH. Yes, Harry.

Mr. SCHERER. Would the witness talk just a little louder?

Mr. TAVENNER. It is noted that counsel appearing with the witness is the same counsel appearing with a former witness.

Mr. WORRELL. For the record, my name is Claude Worrell.

Mr. TAVENNER. All right, sir.

Mr. POTASH. May I ask the committee the pertinency of my being subpenaed here?

Mr. DOYLE. May I suggest this to the witness, please?

We feel that in this hearing, that the utmost attention should be given by the witness to questions asked, and we feel we are entitled to have that attention, and we request that you don't sit there and make notes of every question that's asked, and your answer.

If your counsel makes notes, that's different, but we feel that the committee is entitled to your undivided attention, not to make a record to produce when you go outside to other witnesses. This is a closed meeting. It is an executive session.

Mr. POTASH. Then I am to understand that I am not allowed to take notes of your questioning?

Mr. DOYLE. That is our request, that you give your undivided attention to the questions.

Mr. TAVENNER. You asked as to the reason for your being called here?

Mr. POTASH. That is right.

Mr. TAVENNER. The chairman of the subcommittee, at the beginning of these hearings made an opening statement in which he said that the resolution adopted on January 17, 1962, authorizing these hearings, sets forth the subjects and the legislative purposes of the various phases of the hearings.

The resolution controlling the first phase of the hearing reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such

time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California, for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States * * *.

Chairman Doyle also explained that at the time that the resolution was passed, January 17, 1962, the staff of this committee was assisting him in the preparation of a bill which he introduced on January 30 of this year, which is H.R. 9944, and which amends the Internal Security Act of 1950, that is, amends the registration provisions of it, and makes membership in the Communist Party unlawful; and that bill has been referred to this committee and this hearing relates to that.

Now, I would like to ask you, please, where you reside?

Mr. POTASH. I don't feel I can answer that question.

I would like to take my rights under the Bill of Rights, particularly the first and fifth amendment.

I don't feel that this committee has a right to ask me questions of belief or association, and I would not answer this question.

Mr. SCHERER. Where you reside has nothing to do with your beliefs or associations.

Mr. POTASH. I just would care not to answer this question on the grounds I just stated.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question as to where he resides.

Mr. DOYLE. I so direct you, witness.

We feel that under the law and the procedures, we are entitled to have the identity of the witness before us, your correct name and your correct address.

Mr. POTASH. I have given my name in full. The subpena was delivered to me, and as I understand it, this committee has a copy of that subpena, being delivered at a certain address.

I further deny the pertinence of this hearing, and my answer remains I refuse to answer on the grounds of the first and fifth amendment and the Bill of Rights.

Mr. SCHERER. Just indicates at the very beginning, Mr. Chairman, that the witness isn't invoking the fifth amendment in good faith and doesn't intend to use it in good faith.

Mr. TUCK. Do you sincerely believe that if you answered the question propounded to you, that it would involve you in some kind of criminal prosecution?

Mr. POTASH. Yes.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a copy of the subpena served upon Mr. Potash, and ask that it be marked Potash Exhibit No. 1.

Mr. DOYLE. It will be so received and so marked.

(Document marked "Potash Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. I would like to read the return of the officer making service of this subpena:

I made service of the within subpena by personally serving the within-named Potash, Leonard, at 2017 Preston Avenue, Los Angeles, California, at 8:15 o'clock, a.m., on the 12th day of April 1962, dated April 12, 1962, E. C. Fogliette.

When and where you born, Mr. Potash?

Mr. POTASH. I would like to refuse to answer that question on the same grounds.

Mr. SCHERER. I ask you direct the witness to answer the question, because it couldn't possibly incriminate him to tell this committee when and where he was born.

Mr. DOYLE. I direct you, Witness, to answer the question.

Mr. POTASH. I feel that this question has no pertinence, and I refuse to answer it on the grounds previously stated.

Mr. DOYLE. You have been instructed to answer the question, because it certainly does have pertinence.

The United States Congress is entitled to know the identity of witnesses appearing before its duly authorized committees.

Mr. POTASH. I have already identified myself, and I still refuse to answer on the grounds of the first and fifth amendment.

Mr. DOYLE. You haven't told us where you were born, which is part of your identity that we are entitled to have, we believe. No question about it in our judgment.

Mr. POTASH. I still refuse to answer on the grounds previously stated.

Mr. DOYLE. Of course, it gives further evidence to us that you came into this room determined not to answer any questions, and that's not good faith in our judgment.

Mr. TAVENNER. Mr. Potash, was the residence at which the officer made service upon you, your home?

Mr. POTASH. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. The committee's investigation shows that you were born on November 22, 1936, in New York City, is that correct?

Mr. POTASH. I decline to answer that question on the same grounds previously stated.

Mr. TAVENNER. The committee's investigation also discloses that you have been a resident of Los Angeles since 1949, is that correct?

Mr. POTASH. I decline to answer that question on the same grounds previously stated.

Mr. TAVENNER. Will you give the committee, please, a brief statement of your educational background and training, that is, your formal educational training.

Mr. POTASH. I decline to answer that question on the previous grounds stated.

Mr. TAVENNER. The committee's investigation discloses that you were a student at Los Angeles City College, enrolling there in February of 1955, is that correct?

Mr. POTASH. I decline to answer on the same grounds previously stated.

Mr. TAVENNER. After enrolling in 1955 at Los Angeles City College, did you begin almost immediately in distributing handbills for the Los Angeles Sobell Youth Committee?

Mr. POTASH. I decline to answer that question on the same grounds as previously stated.

Mr. SCHERER. Does our investigation disclose this witness' current occupation?

Mr. TAVENNER. Just a moment, I don't think so.

Mr. SCHERER. What is your occupation?

Mr. POTASH. I decline to answer that question on the grounds previously stated.

Mr. SCHERER. Are you in school or are you engaged in some business activity?

Mr. POTASH. Same answer as previously stated. I decline to answer.

Mr. TAVENNER. Are you presently engaged as a teacher of music at your home at 2017 Preston Avenue, Los Angeles?

Mr. POTASH. May I ask the pertinency of that question?

Mr. TAVENNER. May I ask the witness be directed to answer?

Mr. DOYLE. I direct you to answer the question. Your occupation is certainly pertinent to the United States Congress.

Mr. POTASH. I decline to answer under the grounds previously stated.

Mr. Chairman, can the committee members please be identified to me, since I do not recognize the faces?

Mr. DOYLE. Well, we will proceed in our regular order.

Your counsel knows who we are. Ask him. He's been in here before the committee twice this morning.

Mr. SCHERER. Well, I am not ashamed of my identification. I am Gordon H. Scherer, from Ohio. I won't take the fifth amendment.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. August E. Johansen from Michigan. I'd appreciate the same kind of frank response from the witness, and I don't expect it.

Mr. POTASH. I am Leonard Potash from California.

Mr. DOYLE. Mr. Tuck, where are you from?

Mr. TUCK. I am from Virginia.

Mr. DOYLE. Mr. Potash, I am from Los Angeles County, California. I was born in the State of California; very proud of it. My home is at South Gate, and——

Mr. TUCK. I thought we had the witness on the stand to ask him questions. Not to reply to questions from him.

Mr. DOYLE. That is right.

Mr. TAVENNER. Mr. Potash, in 1958 were you a member of the Youth Commission of the Communist Party for the Southern District of California?

Mr. POTASH. I refuse to answer this question on the same grounds, the first and fifth amendment.

Mr. TAVENNER. Have you, as a member of the Communist Party, engaged in the popular front approach sponsored by the Communist Party in youth mass movements in this area?

Mr. POTASH. Would you please repeat the question?

Mr. TAVENNER. Yes.

Have you, as a member of the Communist Party, been engaged in promoting the popular-front enterprise of the Communist Party among mass organizations?

Are you taking the position you do not understand my question?

Mr. POTASH. Yes, I don't understand it.

Mr. TAVENNER. Well, the Communist Party has adopted as its policy in this area, according to reports made by various officials at the Second Convention of the Communist Party in this area, that it would emphasize the popular-front approach in soliciting support for the Communist Party causes within mass organizations.

You understand what I am saying?

Now, have you engaged in such activities?

Mr. POTASH. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. All right.

You have actually engaged in demonstrations of the Women Strike for Peace movement in this area, have you not?

Mr. POTASH. May I ask the pertinency of this question?

Mr. DOYLE. We've already explained the pertinency of these hearings.

Just proceed; answer the question. Don't try to take the time of the committee in asking questions of the committee. You already know the pertinency of this hearing.

Mr. POTASH. I would decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Did you not, on November 1, 1961, participate in a Women Strike for Peace demonstration in Los Angeles?

Mr. POTASH. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photograph and ask that it be marked Potash Exhibit No. 2.[9]

Mr. DOYLE. Be so received and so marked.

Mr. Tavenner. Mr. Potash, will you examine that photograph and state whether or not the photograph of the man appearing in the picture is a photograph of you?

Mr. DOYLE. Let the record show that the counsel and the witness are both closely examining the photograph offered.

Mr. POTASH. I decline to answer this question on the same grounds, the rights afforded to me by the first and fifth amendment of the Bill of Rights.

Mr. TAVENNER. Will you hand the photograph to the committee, please?

Mr. DOYLE. I will ask the subcommittee members to view this photograph exhibit with me, carefully.

* * * * * * *

Mr. TUCK. It is obviously he.

Mr. DOYLE. I submit it is obviously the witness before us today—without the dark glasses appearing in the picture.—the witness who is in the witness chair before us, no question about it.

Mr. TAVENNER. Mr. Potash, were you a member of the Independent Student Union in Los Angeles?

Mr. POTASH. Decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Did individuals who were active in the Independent Student Union sponsor a demonstration by a group known as the Walter Reception Committee on March 19, 1962?

Mr. POTASH. I decline to answer this question on the same grounds.

[9] Ibid., p. 186.

Mr. TAVENNER. Did you not engage and participate in that demonstration by the Walter Reception Committee?

Mr. POTASH. I decline to answer this question on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party on March 19, 1962?

Mr. POTASH. I decline to answer this question on the grounds previously stated.

Mr. SCHERER. Fact is that on that date, you weren't a student either, were you?

Mr. POTASH. I decline to answer this question on the same grounds.

Mr. SCHERER. Fact is you participated in that demonstration as a member of the Communist Party, is that not right?

Mr. POTASH. I decline to answer this question on the grounds previously stated.

Mr. SCHERER. And as such, urged students to participate in it at the direction of the Communist Party, isn't that right?

Mr. POTASH. Same answer as previously stated.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. POTASH. Decline to answer this question on the grounds previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Any questions?

Mr. TUCK. I have no questions.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. I have no questions.

Mr. DOYLE. I have no further questions.

Thank you, counsel and witness.

(Witness excused.)

Mr. DOYLE. Will the next witness please remain standing and be sworn?

Mr. Neff, do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NEFF. I do.

TESTIMONY OF JACK V. NEFF, ACCOMPANIED BY COUNSEL, ANTHONY V. RANDLES

Mr. TAVENNER. What is your name, please, sir?

Mr. NEFF. Jack Neff.

Mr. TAVENNER. It is noted that the witness is accompanied by counsel.

Will counsel please identify himself for the record?

Mr. RANDLES. Yes, I am Anthony V. Randles.

Mr. TAVENNER. When and where were you born, Mr. Neff?

Mr. NEFF. I'd like to ask if that question is pertinent to this inquiry?

Mr. TAVENNER. Yes, it is pertinent to know who you are.

Mr. NEFF. I would like to ask the pertinence of the inquiry so that I will be informed.

Mr. TAVENNER. The reason why you are subpened here?

Mr. NEFF. I want to know the pertinence of the inquiry, and also the pertinence of that question, please.

Mr. TAVENNER. Well, I have certainly advised you as to the pertinency of the question.

We not only want to know your name, but we want to be certain of your identification.

As to the pertinency of the inquiry, as you put it, or in other words, the reason for your being subpened, the chairman of the subcommittee, at the opening of this hearing, made a statement for the record as to the subject of it, and the legislative purpose of it.

He stated that the committee resolutions adopted by the committee on January 17, 1962, which authorized these hearings, contain an adequate description of both the subject and the legislative purpose, as far as this phase of the hearing is concerned.

This is the resolution of the committee which describes its pertinency and advises you of the subject. The resolution reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California, for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States * * *.

Chairman Doyle also explained in his opening statement that at the time that resolution was passed, on January 17, 1962, the staff of this committee was assisting him in the preparation of a bill which he introduced on January 30 of this year, which is H.R. 9944, and which amends the Internal Security Act of 1950, that is, amends the registration provisions of it, and makes membership in the Communist Party unlawful, and that bill has been referred to this committee, and this hearing relates to that.

Now, will you answer the question please, when and where were you born?

Mr. NEFF. I would like to decline to answer that question on the following grounds: That it—I question the pertinence of that question, and I'd like to also stand on the—my constitutional rights.

Mr. SCHERER. I can't hear the witness. Can you speak a little louder?

Mr. NEFF. I would like to not to answer that question on the grounds that it—I question its pertinence in this inquiry, and that I also like to stand on the—my constitutional rights under the first amendment and the fifth amendment, which allows me freedom of speech under the first, and the fifth amendment, which gives me the right not to incriminate myself or possibly intend to incriminate myself.

Mr. DOYLE. Manifestly, Mr. Neff, the reading by our counsel in answer to your question of the pertinency, made it crystal-clear as to the pertinency of the question asked.

I instruct you to answer the question.

Mr. NEFF. I'd like to decline to answer the question on the grounds that I feel that it isn't pertinent to this inquiry or to this specific question asked, and that I want to stand on the constitutional rights under the first amendment, which gives me the freedom of speech, and the fifth amendment, which does not force anyone to testify against themselves.

Mr. DOYLE. We understand what the first and fifth amendments are, and to save your time and ours, if you wish, you can just state that you decline to answer on the same grounds as you previously stated.

We will take that substantially so worded as your claim under the Constitution.

That is no sign we agree with it, but to save your time and ours, and your counsel's time, it will save you from repeating your prepared answer every time, the length of it.

Mr. NEFF. You say it will include the pertinence of the question too, that I don't agree with the pertinence of the question?

Mr. DOYLE. We understand that, but we claim it is entirely pertinent.

Now, let's proceed.

Mr. TAVENNER. Mr. Chairman, I noted that the witness said that he would like to decline, or would like to refuse to answer the question.

That is not a specific answer. I think the witness should be asked, and I do ask, whether he does refuse to answer the questions on the basis of the reasons that he gave?

Mr. DOYLE. Do you understand, Mr. Witness?

Mr. NEFF. Would you repeat that question, please?

Mr. TAVENNER. My statement was that in your answer you said you would like to refuse. I want to know whether you do refuse to answer the question.

Mr. DOYLE. Do you understand the question now, Witness?

Mr. NEFF. Well——

Mr. DOYLE. Do you understand Mr. Tavenner's suggestions as to the form of your answer?

Mr. NEFF. As to the first—the question—the first questions, I do decline and my previous statement, and I thought would be construed that way.

It was the phraseology on my part when I said I would like to. I mean I do decline to answer.

Mr. DOYLE. All right.

Mr. NEFF. On the grounds, if I——

Mr. DOYLE. Well, you have stated the grounds.

Mr. NEFF. On the previous grounds.

Mr. DOYLE. Now that you have made it clear that you intended to decline the answer, that is sufficiently clear to us.

Mr. TAVENNER. The committee's investigation reflects that you were born on March 24, 1923, at Morgan Springs, Tennessee, is that correct?

Mr. NEFF. I would like to—I do decline on the previous grounds, pertinence, first and fifth amendments.

Mr. DOYLE. Just a minute. I instruct you to answer, Witness. That certainly couldn't be any threat to you of criminal prosecution, because you were born someplace. That is our position.

I instruct you to answer the question. We believe Congress is entitled to know where citizens have been born; and may I add further, counsel, for the purpose of identification of the person testifying before a congressional committee.

Mr. NEFF. I decline on the previous-stated grounds to answer.

Mr. TAVENNER. Where do you reside, Mr. Neff?

Mr. NEFF. 1500 South Broad Acres Avenue.

Mr. TAVENNER. How long have you lived there?

Mr. NEFF. I decline to answer that question on the previous-stated grounds.

Mr. TAVENNER. When you said 1500 South Broad Acres, where is that located?

Mr. NEFF. Compton.

Mr. TAVENNER. How are you employed?

Mr. NEFF. I decline to answer that on the previous-stated grounds.

Mr. TAVENNER. The information that the staff has developed, indicates that you are employed by the Bethlehem Steel Company at 6000 Alcoa Avenue, Vernon, is that correct?

Mr. NEFF. I decline to answer on the grounds of pertinence and first and fifth amendments.

Mr. TAVENNER. Will you advise the committee briefly as to your formal educational training?

Mr. NEFF. I decline to answer, previous-stated grounds.

Mr. TAVENNER. Will you tell the committee whether as long ago as June 26, 1949, you attended the Los Angeles County organizing conference of the Labor Youth League, at 4016 South Central Avenue?

Mr. NEFF. I decline to answer that on the previous-stated grounds.

Mr. TAVENNER. Were you not a student at UCLA in 1950?

Mr. NEFF. I decline to answer that on the previously stated grounds.

Mr. TAVENNER. Were you a member of the Labor Youth League at UCLA during 1950?

Mr. NEFF. I decline to answer on the previously stated grounds.

Mr. TAVENNER. While in attendance at UCLA, were you a member of the Mike Quin Student Communist Club?

Mr. NEFF. I decline to answer on the previously stated grounds.

Mr. TAVENNER. Are you now a member of the Compton Club of the Communist Party?

Mr. NEFF. I decline to answer on the previously——

Mr. SCHERER. I can't really hear the witness' declination.

Mr. NEFF. I decline to answer on the grounds that I question the pertinence of this question and the pertinence of this inquiry, and I also stand on my rights under the first and fifth amendments of the Constitution, and all other sections of the Constitution which may cover this type of rights that I speak of.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Any questions, Mr. Johansen?

Mr. JOHANSEN. No.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. I have no questions.

Mr. DOYLE. I have no further questions, Counsel. Thank you, Witness.

(Witness excused.)

Mr. MANES. May I state my client wishes to affirm, rather than to be sworn.

Mr. DOYLE. Very well.

Mrs. Alexander, do you solemnly affirm that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ALEXANDER. I will affirm the truth of my statement.

TESTIMONY OF MIMI ALEXANDER, ACCOMPANIED BY COUNSEL, HUGH R. MANES

Mr. DOYLE. You make the affirmation as you want to give it.

Mrs. ALEXANDER. I will affirm the truth of my statements.

Mr. DOYLE. All right, thank you.

Mr. SCHERER. You objected to the use of the word "God" by the chairman?

Mrs. ALEXANDER. On the grounds of the first amendment, I object to the oath.

Mr. TAVENNER. I am sorry, I couldn't hear you. Would you speak a little louder?

Mrs. ALEXANDER. On the grounds of the first amendment, I objected to the oath.

Mr. TAVENNER. You are Mrs. Charles Alexander?

Mrs. ALEXANDER. My name is Mimi Alexander.

Mr. TAVENNER. Are you Mrs. Charles Alexander?

Mrs. ALEXANDER. I decline to—I decline to state on the grounds that my true name is Mimi Alexander.

Mr. SCHERER. I ask you to direct the witness to answer the question, Mr. Chairman, as to whether she is Mrs. Charles Alexander.

Mr. DOYLE. Witness, I am directing you to answer the question. We believe it is clearly pertinent and proper that we know whatever name you go by, whatever name you use, before we believe that your married name—if it is Mrs. Charles Alexander. It is pertinent and proper. We are entitled to know who we are dealing with, under whatever name.

Mrs. ALEXANDER. I decline to answer upon the following grounds: 1—the mandate of this committee violates the provisions of the Bill of Rights to our Constitution and particularly the first amendment thereof, because vague and ambiguous, and abridging speech and association of citizens.

2—the question is not pertinent or relevant to the mandate of this committee, or to the declared purpose of the—this investigation, or to any proper inquiry of a legitimate legislative purpose of this committee; and

3—the question inquires into my beliefs and associations——

Mr. SCHERER. Just a minute.

The question does not inquire as to any belief or association. It merely asks for your name.

Mrs. ALEXANDER. I repeat: No. 3—the question inquires into my beliefs and associations and abridges my liberty and rights as granted by the first amendment.

4—upon the further ground that the question calls for me to condemn and accuse myself from my own lips.

Mr. DOYLE. Just a minute now.

Mr. MANES. She is completing her answer.

Mr. DOYLE. Just a minute, we asked a simple question of whether or not you are Mrs. Charles Alexander, and this manifestly is a prepared statement that the witness has brought into this room, in other words, you are anticipating possible questions which haven't been asked you.

Now, let me ask a question: Did you write that yourself?

That statement?

Mrs. ALEXANDER. This statement?

Mr. DOYLE. Yes, did you write it, did you prepare it?

Mrs. ALEXANDER. I prepared—I prepared this with the assistance of my counsel.

Mr. DOYLE. That is all right, you have a right to, I presume.

How many pages in that statement, because under our rules, you are not allowed to read a statement unless you have given us notice you are going to have a long statement.

Mrs. ALEXANDER. I am not reading a statement. I am objecting to the question.

Mr. DOYLE. How many pages to that, how many minutes?

Mrs. ALEXANDER. If you will bear with me, it is very brief. I mean, I have only a little more to finish it.

Mr. DOYLE. Very well, then, proceed promptly.

Mrs. ALEXANDER. And that it tends to incriminate me, in violation of the guarantees of the fifth amendment.

5 — the committee lacks jurisdiction over me because:

(A) Of the unlawful exercise of its subpena power; and

(B) The unlawful delegation of its authority and subpena power.

Mr. DOYLE. Thank you.

Mr. TAVENNER. Mr. Chairman, it is noticed that the witness is accompanied by counsel.

Would counsel please identify himself for the record?

Mr. MANES. My name is Hugh R. Manes.

Mr. SCHERER. Now, Mr. Chairman, I ask you to direct the witness to answer the question propounded by counsel, namely: Is she Mrs. Charles Alexander?

Mr. DOYLE. You understand the question, Mrs. Alexander?

I am directing you to answer. I want to make sure that you recall what the question was.

Mrs. ALEXANDER. Yes, I do.

Mr. DOYLE. All right, I am now directing you to answer that question.

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. DOYLE. All right, that is sufficient in matter of time.

Mr. SCHERER. Well, that doesn't mean we accept her answer.

Mr. DOYLE. Not at all. We don't accept it, but I mean, we accept that as sufficient statement of reasons why she doesn't answer, but not sufficient so far as we are concerned.

Mr. TAVENNER. Are you appearing here pursuant to a subpena served on you?

Mrs. ALEXANDER. Yes, I am, subpena served to Mimi Alexander.

Mr. TAVENNER. I desire to offer in evidence a copy of the subpena served upon this witness, and ask that it be marked Mimi Alexander Exhibit No. 1.

Mr. DOYLE. Let it be so received and so marked.

(Document marked Alexander Exhibit No. 1" and retained in committee files.)

Mr. MANES. May we have leave to examine it a moment?

Mr. TAVENNER. I understand that you state that your first name is Mimi?

Mrs. ALEXANDER. Yes.

Mr. TAVENNER. Would you speak up a little? I can't hear you.

Mrs. ALEXANDER. I'm sorry, I am not used to public speaking.

Mimi, M-i-m-i. I mean, it's a long table.

Mr. TAVENNER. Is that an abbreviation of your correct first name or is that your entire first name?

Mrs. ALEXANDER. That is my first name.

Mr. TAVENNER. It is not an abbreviation of a name?

Mrs. ALEXANDER. I have as my prerogative to change my first name as most children, I mean, do not sometimes desire to continue to use their name. My name, as recorded on my birth certificate, was Miriambel.

Mr. TAVENNER. One word?

Mrs. ALEXANDER. That's right.

Mr. TAVENNER. What was your maiden name?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The committee's information is that it was Nathanson, is that correct?

Mrs. ALEXANDER. I decline to state on the grounds previously answered—given.

Mr. TAVENNER. Have you also used the name "Mimi Scott"?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Have you used the name "Mimi Reser"?

Mrs. ALEXANDER. I decline to answer upon the same grounds.

Mr. TAVENNER. May I have a direction that the witness answer the question?

Mr. DOYLE. I direct the witness to answer the last question.

Mrs. ALEXANDER. I decline to answer on the previously stated objections.

Mr. TAVENNER. Have you used the name "Mimi Wolfson"?

Mrs. ALEXANDER. Could I have the legislative purpose, Mr. Chairman, of this particular information?

Mr. DOYLE. Mr. Tavenner, our counsel, will read to you the resolution under which we are operating, showing the pertinency of any questions at this hearing.

Of course, Congress is entitled to know the identity of people it is dealing with, purpose of finding your identity. That, of course, the United States Congress is entitled to have.

Mr. TAVENNER. I think, Mr. Chairman, this is purely a question of identity.

Mr. DOYLE. That is right.

Mr. TAVENNER. May I ask that the witness be directed to answer?

Mr. DOYLE. I direct you again to answer the question.

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Where do you reside, Mrs. Alexander?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I would like to read the return on the subpena, appearing as "I made service of the within subpena by personal service on the within-named Mimi Alexander at 1116 Fedora Street, at 7:15 o'clock, a.m., on the 13 day of April, 1962, W. L. Sanchez."

Was the place of service your residence, Mrs. Alexander?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The committee is advised that you were born on April 7, 1916, at Topeka, Kansas, is that correct?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. How long have you been a resident of Los Angeles?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Will you advise the committee, briefly, what your formal educational training has been?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. According to the committee's investigation, information has been received that you were educated in Topeka High School, Topeka, having graduated there in 1934; that you majored in mathematics and chemistry at the University of Kansas from 1935 to 1937, is that correct?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. DOYLE. May I suggest to the witness that we feel we are entitled to undivided attention of the witnesses to these questions asked. I notice the witness is not paying attention to the questions asked, but is making notes.

Now, very respectfully, we ask you to discontinue. We think this is of sufficient importance that this congressional committee is entitled to your full and undivided attention, not to sit there and make notes.

This is an executive session. If counsel wants to do it, that's different, because he isn't obligated to answer the questions, except to help you.

Mr. TAVENNER. How long have you resided in the Los Angeles area, Mrs. Alexander?

Mrs. ALEXANDER. Wasn't that a previous question?

I decline to answer on the grounds previously stated.

Mr. TAVENNER. Will you try to raise your voice a little bit, please?

The committee's investigation indicates that you came to Los Angeles in 1952 from Chicago. What was your employment in Chicago?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The committee's information is also that you lived in San Diego in 1955 and 1956, is that correct?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you employed by the Los Angeles city schools——

Mrs. ALEXANDER. I decline——

Mr. TAVENNER.—in 1959?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photostatic copy of an Oath of Allegiance and Questionnaire for Employes in Los Angeles City Schools, purportedly signed by Mimi Alexander, and sworn to on the 14th day of January 1959, and ask that it be marked Mimi Alexander Exhibit No. 2.[10]

Mr. DOYLE. Be received and so marked.

[10] Ibid., p. 187.

Mr. TAVENNER. Will you please examine the document?

Mr. DOYLE. May the record show that the counsel and the witness are examining the document.

Mr. TAVENNER. And state whether or not the signature appearing on the affidavit is your signature?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. SCHERER. Mr. Tavenner, do we have any evidence that this witness actually taught in the public schools?

Mr. TAVENNER. No, sir, the committee's information is that she was employed in a clerical capacity in the school.

I would like to read from this Oath of Allegiance, appearing as Alexander Exhibit No. 2.

I, Mimi Alexander, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States, or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

And there appears in ink notation the words "No Exceptions."

and that during such time as I hold the office of certificated employee and/or non-certificated employee of the Los Angeles City School Districts I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or the State of California by force or violence or other unlawful means.

Signature: "Mimi Alexander. Subscribed and sworn to before me this 14 day of January, 1959, Harold J. Ostly, County Clerk, by Eleanor Yee, Deputy." Followed by the word "Seal."

Mrs. Alexander, were you a member of the Communist Party on January 14, 1959?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Had you been a member of the Communist Party at any time during the 5 years preceding the execution of this affidavit?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I would like to read to the committee from the questionnaire, which appears at the bottom of this affidavit:

(Rule 1907 of the Board of Education of the City of Los Angeles requires a "yes" or "no" answer to each of the following questions. If unanswered, or answered other than "no," the applicant shall not be employed.)

State of California, County of Los Angeles.

1. Are you knowingly a member of the Communist Party or of any organization which to your knowledge is a successor of such party, regardless of its name?

Answer. "No."

2. Do you now advocate the support of a foreign government against the United States in the event of hostilities?

Answer. "No."

3. Will you engage in any of the activities inquired of in the above two questions at any time during your employment with any Los Angeles City School District?

Answer. "No."

Signature: "Mimi Alexander, Home Address: 1116 Fedora Street, Los Angeles, Position Title: Inter Clerk-Typist."

And then, "Sworn and Subscribed to," etc.

Did you truthfully answer those questions, Mrs. Alexander, when you answered, "No" to each of the three?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you not in fact at the time of the execution of this affidavit a member of the Communist Party?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. SCHERER. Were you telling the truth when you signed that affidavit?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. SCHERER. The fact is that you committed perjury when you signed that affidavit, did you not?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mrs. Alexander, have you traveled in any foreign country within the past 2 years?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Do you recall the date of the decision handed down by the Supreme Court, in the case of the *Communist Party of the United States* v. *Subversive Activities Control Board,* which upheld the registration provisions of the Internal Security Act of 1950, as being constitutional?

Do you recall that date?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The date of that decision of the Supreme Court was June 5, 1961.

How soon after June 5, 1961, did you leave for Mexico?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. When did you return to the United States from Mexico?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you a delegate to the Second Convention of the Communist Party for the Southern District of California?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The committee's investigation reflects that you were in attendance at the first session of this convention which was held in November 1959.

Is the committee's investigation in error on this?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you represent at that district convention, the Moranda Smith Section of the Communist Party, I mean, represent as a delegate?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you represent the Downtown Section of the Communist Party at that convention as a delegate?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. As a matter of fact, the two are the same, are they not, the Moranda Smith Section and the Downtown Section of the Communist Party?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Are you acquainted with a person by the name of Bill Taylor?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The committee's investigation reflects that Bill Taylor is a member of the District Committee, that is the new District Committee for the Communist Party's Southern California District.

Have you attended meetings, Communist Party meetings, with Bill Taylor?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The committee's investigation also reflects that Bill Taylor is chairman of the Negro Commission of the Communist Party, Southern California District, isn't that correct?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Have you worked for this commission headed by Bill Taylor?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mrs. Alexander, the committee is quite aware, from its investigation of the party dispute over what has been referred to as "The Negro Question."

The National Committee of the Communist Party in 1958, as shown by the committee's investigation conducted here in 1958, reversed the Communist Party's 30-year position on the Negro question, the position having been that Negro people were entitled to a separate nation within the United States, is that correct?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Have you read the committee's report, released on April 3, 1959, entitled "Report on the Southern California District of the Communist Party"?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, pages 16 and 17 of that report, issued by the committee, devotes more than a page to the discussion of the reversed party line on the Negro question.

Mr. MANES. What was the date of that, Mr. Tavenner?

Mr. TAVENNER. The date of the committee report is April 3, 1959.

The new resolution adopted by the National Committee entitled "Resolution on the Negro Question" had this to say, "* * * the Negroes in the United States are not constituted as a separate nation. They have the characteristics of a racially distinctive people or nationality. They are a component part of the whole American nation * * *.

"* * * Negroes unite *not* in order to separate themselves from the political, economic, or social life of our country. They unite * * * to level all barriers to their fullest integration into all aspects of the * * * life of the American people as a whole."

That was an entirely new Communist Party line, was it not, that was subsequently routinely ratified at the party's 17th National Convention?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. And it is a line which was very strenuously opposed by you, isn't it?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Chairman Healey of the Southern California District of the Communist Party, in 1958, according to the committee's earlier report, hailed the new Negro policy at District Council meetings as a great boon to the Communist efforts to enter and win support in non-Communist movements seeking increased representation for Negroes in the south, and integration of Negroes into the American life.

That was the position she took in 1958, was it not?

By "she," I mean Dorothy Ray Healey.

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I hand you a document, previously introduced in evidence as Dobbs Exhibit No. 12, and I will ask you whether or not this document was distributed at the Communist Party District Convention, the Second Convention, which you attended?[11]

This document is entitled "Pre-Convention Discussion Article on the Negro Question," by "M. A."

Mr. JOHANSEN. This was at the Southern California District Convention?

Mr. TAVENNER. Yes, the Second Convention, the first session of which was in 1959, and the second session in January 1960.

Mr. DOYLE. Let the record show that counsel and the witness are examining the exhibit handed to them.

Mr. TAVENNER. Mrs. Alexander, I called your attention to the fact that there appears under the title, in typewriting, this language, "By M" period, "A" period.

Do these initials stand for Mimi Alexander?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you not the author of this document, identified as Dobbs Exhibit 12?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

[11] Ibid., p. 120.

Mr. TAVENNER. Mrs. Alexander, I have read this document carefully. It shows a great deal of excellent research work covering a long period of time on the subject, and I think anyone who could prepare a statement as full and as well-written as this is, should not hesitate to accept credit for it.

So I again want to ask you if you wrote this report?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. SCHERER. Counsel, what position does this report take with with reference to the revised or new Communist Party line on the Negro question?

Mr. TAVENNER. Most strenuous opposition to it, most strong opposition to the new line of the Communist Party, which reversed the 30-year Communist Party line, in which the Negro people were recognized as having the right of self-determination, that is to form a nation of their own within the United States and secede from the United States.

Mr. SCHERER. And this document by this witness opposed that position?

Mr. TAVENNER. That position, notwithstanding the fact that the Communist Party's National Committee had adopted a different approach to this question—a different, entirely different and conflicting line.

In your discussion article, opposition is expressed to the proposed "Resolution on the Negro Question" in the United States, which the national party leadership had placed before party districts, and on which formal action was scheduled at the 17th National Party Convention in December 1959, is that not correct?

Mrs. ALEXANDER. I'm sorry, the question was lengthy. Would you repeat it?

Mr. TAVENNER. Yes. In this discussion article, which I have handed you and which the committee has attributed to you—marked Dobbs Exhibit No. 12—vigorous opposition is expressed to the proposed "Resolution on the Negro Question" which resolution embodied this new line that I have been discussing, isn't that correct?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. As I have pointed out, the National Committee of the Communist Party had endorsed a new line on the Negro question in December 1958. Isn't that true, that the change in line was actually effective from that date, that is December 1958, and that subsequent approval by the 17th National Convention was mere formality? Isn't that correct?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Under the party's system of organization, are not policies established by a national leadership clique, and imposed on the membership, which has had no opportunity to choose its officials, much less participate in policy formulation? Isn't that correct?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I would also like to call your attention to a statement on page 9 of Dobbs Exhibit No. 12, which was submitted to

the November 1959 session of the Southern California District convention, and I will quote from it:

"Around * * * the original draft"—meaning the 1958 draft resolution on the Negro question according to this article attributed to you—"there was a dearth of expression either from our leadership or membership. * * * Self-critically the writer recognizes the tardiness of this discussion article. Two questions should be placed. (1) Has this question been thrashed out in debate in our Party? (2) Is silence to be synonomous with assent?"

And you then in this article point out that the new line on the Negro question has become a "fait accompli—already being taught at the Marxist schools * * *."

Do you not here admit that the new policy on the Negro question went into effect even before action was taken by the National Convention?

Mrs. ALEXANDER. I decline to answer on the grounds previously s ated.

Mr. TAVENNER. The former Communist position held that the Negroes in the southern part of the country, in many counties located in the south, constituted a disenfranchised nation which will one day exercise a right of self-determination and become a separate Negro nation.

The new policy, which you oppose, calls for the "fullest integration" of the Negroes into the "life of the American people as a whole," isn't that true?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Do you not believe that this line was changed by the National Committee in an effort to make the party more appealing to the Negro people in the United States, in order that the Communist Party might increase its ability to achieve influence among non-Communist Negroes? Isn't that right?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Notwithstanding the quite apparent reason for the change in the Communist Party line, you nevertheless were opposed to it, weren't you?

Do you understand?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. On page 8 of your discussion article, you asked this question, and I quote: "And is it not peculiar that only a minority of the Negro comrades in our District today support the 'withdrawal of the right of self-determination'?"

Let me ask you, is it not a fact that most of the Negroes in the Southern California Party are adamantly opposed to the new line on the Negro question?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mrs. Alexander, Claude Lightfoot, a member of the National Committee, who presented the resolution on the Negro question for a vote of the 17th National Convention, admitted at the Convention, and I quote again, "Here and there over the country, there has been great concern in the ranks of our Negro comrades

in particular over the dropping of the slogan of the right to 'self-determination'."

It appears, does it not, that the opposition of the Negro Communist is not confined by any means to the State of California?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The Southern California District Board of the Communist Party, and the entire Southern California District Convention, nevertheless, endorsed the draft resolution on the Negro question, notwithstanding your strenuous opposition to it, didn't it?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. This action was taken also notwithstanding the determined opposition of Cyril Briggs, a prominent member of the Communist Party in Southern California?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. In this article, which you submitted to the Southern California District Convention, according to the information obtained by the committee, did you not also charge that Communist Party members and leaders were guilty of "white chauvinism," of contempt for Negro Communist Party members, and of a deliberate policy of keeping Negro Communists out of party leadership, all of which appears on pages 5 and 6 of Dobbs Exhibit No. 12?

Mrs. ALEXANDER. Was that in the form of a question, sir?

Mr. TAVENNER. Yes, it was.

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. DOYLE. The committee will recess for a few minutes.

(Short recess.)

Mr. DOYLE. The committee will come to order again, please.

Let the record show that Congressman Tuck of Virginia, Congressman Johansen of Michigan, and Congressman Doyle, subcommittee chairman, are present; therefore a quorum of the subcommittee.

Mr. TAVENNER. Mrs. Alexander, I would like to return for a moment to the affidavit which was introduced in evidence, as Mimi Alexander Exhibit No. 2—the Oath of Allegiance and Questionnaire for Employes—Los Angeles City Schools.

As a result of the execution of that Oath of Allegiance and Questionnaire, were you employed in 1959 by the Los Angeles Board of Education, as a substitute intermediate typist and assigned to the business office division, job accounting, at 1425 San Pedro?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you, as a Communist Party member, participate in any mass movements interested in various types of peace movements, peace programs?

Mrs. ALEXANDER. Have you finished the question?

Mr. TAVENNER. Yes.

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you not carry out a Communist Party instruction or an activity which you knew to be a desire of the Communist Party, in engaging in a demonstration sponsored by "Help Establish Lasting Peace"?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence a photograph and ask that it be marked Alexander Exhibit No. 3.[12]

Mr. DOYLE. It will be so received and so marked.

Mr. TAVENNER. I hand the photograph to the witness and ask if she will identify the figure in the middle as being a photograph of her?

Mr. DOYLE. Let the record show that counsel and witness are examining the exhibit just handed to them by Mr. Tavenner.

Mrs. ALEXANDER. The photograph speaks for itself.

I decline to answer on the same grounds.

Mr. TAVENNER. May the committee please examine the photograph and see what the photograph shows for itself?

Mr. DOYLE. What is the opinion of the subcommittee members?

Mr. JOHANSEN. Unquestionably, it is the same person.

Mr. DOYLE. Unquestionably, the middle figure in the picture is Mimi Alexander, the witness before us today.

Mr. TUCK. I concur in that view.

Mr. DOYLE. So do I.

Mr. TAVENNER. Are you now actively engaged in the work of the Communist Party, Mrs. Alexander, as a member of the Communist Party?

Mrs. ALEXANDER. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. Any questions, Governor?

Mr. TUCK. I have no questions.

Mr. JOHANSEN. No questions.

Mr. DOYLE. I have no questions, thank you, Counsel.

Mr. MANES. May the witness be excused?

Mr. DOYLE. Yes.

(Witness excused.)

Mr. MANES. I am asked to inquire as to whether there will be a transcript made available to the witness at the conclusion of the proceedings?

Mr. TAVENNER. This is an executive session, and until the committee in Washington acts upon it, there will not be anything made public to the witness or anyone else.

Mr. MANES. At the time, if and when it is made public, will there be a transcript available?

Mr. TAVENNER. If it is made available, it will be printed.

Mr. MANES. In other words, the witness will have to apply?

Mr. TAVENNER. No, if she just writes to us, we will give her a printed copy.

Mr. DOYLE. That is according, Counsel, to our long-standing printed rules.

We will have a short recess.

(Short recess.)

* * * * * * *

Mr. DOYLE. Mrs. Kessler, will you please raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KESSLER. I do.

[12] Ibid., p. 236.

TESTIMONY OF SHIRLEY KESSLER, ACCOMPANIED BY COUNSEL, CLAUDE V. WORRELL

Mr. DOYLE. Please take the witness chair, Mrs. Kessler.

Mr. WHEELER. State your name, please.

Mrs. KESSLER. Shirley Kessler.

Mr. WHEELER. Miss or Mrs.?

Mrs. KESSLER. Mrs. Kessler.

Mr. WHEELER. Would you advise the committee of the date and place of birth, please?

Mr. JOHANSEN. May we make the notation of identity of counsel?

Mr. WORRELL. Claude Worrell.

Mrs. KESSLER. I refuse—I decline to answer that question on the grounds of the first and the fifth amendments.

Mr. DOYLE. I instruct you to answer, because we believe that we are entitled to your identity as a matter of law.

Mrs. KESSLER. I believe I have stated my identity in terms of name, and I have been served a subpena.

Mr. WHEELER. What is your maiden name?

Mrs. KESSLER. I refuse to—I decline to answer that question on the grounds of the first and fifth amendment.

Mr. WHEELER. And your address?

Do you want to direct her, mere form of identity, Mr. Chairman?

Mr. DOYLE. Yes, I direct you to answer. It enters into who you are and your identity.

Mrs. KESSLER. I decline to answer on the grounds previously stated.

Mr. WHEELER. And what is your current address, Mrs. Kessler?

Mrs. KESSLER. I decline to anwer that question on the grounds previously stated.

Mr. DOYLE. I instruct you to answer.

Mr. TUCK. Do you honestly believe that if you answered the question and told the committee your name and your address, that it would subject you to criminal prosecution?

Mrs. KESSLER. Yes.

Mr. WHEELER. Mr. Chairman, I would like to place in evidence a subpena return, served upon Mrs. Kessler at 1589 Helen Drive, in Los Angeles.

Mr. DOYLE. It will be so received.

Mr. WHEELER. Is that your current address?

Mrs. KESSLER. I decline to answer that question on the grounds of the previous statement.

(Document marked as "Kessler Exhibit No. 1" and retained in committee files.)

Mr. WHEELER. A voter's registration indicates you were born in New York, is that correct?

Mrs. KESSLER. I decline to answer that on the same grounds, as stated previously.

Mr. WHEELER. How long have you resided in Los Angeles?

Mrs. KESSLER. I refuse—I decline to answer that, as stated previously.

Mr. WHEELER. Mrs. Kessler, you have lived in Los Angeles County since 1954, is that correct?

Mrs. KESSLER. I decline to answer that on the same grounds, as stated previously.

Mr. WHEELER. Our investigation has shown that you were a delegate to the first session of the Second Convention of the Communist Party, Southern California District, on November 22, 1959.

Were you present at this convention?

Mrs. KESSLER. I decline to answer this on the grounds previously stated.

Mr. WHEELER. Are you now a member of the Communist Party?

Mrs. KESSLER. I refuse—I decline to answer that on the grounds stated previously.

I'd like to ask for a statement of pertinence as to the legislative value of the questions being asked me.

Mr. WHEELER. The chairman of the subcommittee covered that this morning in his opening statement.

Part of the resolution adopted by the committee authorizing these hearings reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determinining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States * * *.

The chairman of the subcommittee also explained that at the time that resolution was passed, on January 17, the staff of this committee was assisting him in the preparation of a bill which he introduced on January 30 of this year, which is H.R. 9944, amending the Internal Security Act of 1950—that is, amends the registration provisions of it, and makes membership in the Communist Party unlawful, and that bill has been referred to this committee, and this hearing relates to that.

Mr. DOYLE. That bill was referred to this committee, and we are here in connection with this proposed legislation.

Mr. WHEELER. Are you a member of the City Terrace Club of the Communist Party, Southern California District?

Mrs. KESSLER. I decline to answer on the grounds as previously stated.

Mr. WHEELER. We notice from your record, you have been attending meetings of the Mexican caucus of the Communist Party, Southern District of California, is that correct?

Mrs. KESSLER. I decline to answer that question on the grounds previously stated.

Mr. WHEELER. I have no further questions.

Mr. DOYLE. Any questions, Governor?

Mr. TUCK. I have no questions.

Obviously she is not going to answer any questions.

Mr. JOHANSEN. I have no questions.

Mr. DOYLE. I have no questions.

You may be excused.

(Witness excused.)

Mr. WORRELL. Mr. Chairman, with leave of the committee, please, there are a few lawyers outside that would like to appear just for the brief statement with regard to the witnesses and the lawyers that have been waiting all day.

I wonder if the Chair would recognize them for a few moments, so they could inquire of the committee what its intentions are with respect to the remaining witnesses, and so forth?

Mr. DOYLE. Well, let's hear this witness first, and then we can see. We will not take very long.

Mr. WORRELL. Well, it's now 5:20, and, of course, just about all of us have been waiting out there all day, without any idea of how long we are to wait in the future.

Mr. DOYLE. Let's wait until after this witness and then we will take time to do that.

Mr. WORRELL. Thank you very much, Mr. Chairman.

Mr. DOYLE. Mrs. Konick, will you be sworn, please?

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KONICK. I do.

TESTIMONY OF HELEN KONICK, ACCOMPANIED BY COUNSEL HUGH R. MANES

Mr. WHEELER. Witness, state your name, please.

Mrs. KONICK. Helen Konick.

Mr. WHEELER. I see you are accompanied by counsel. Will the counsel please identify himself for the record?

Mr. MANES. Yes, my name is Hugh R. Manes.

Mr. WHEELER. You are Mrs. Sam Konick?

Mrs. KONICK. I decline to answer upon the following grounds:

1. The mandate of this committee violates the provisions of the Bill of Rights to the Constitution, and particularly the first amendment thereof, because of vague, ambiguous and abridging speech, and association of citizens;

2. The question is not pertinent or relevant to the mandate of this committee, or to the declared purpose of this investigation, or to any proper inquiry or legitimate legislative purpose of this committee.

Mr. WHEELER. How long is your statement, Mrs. Konick?

Mrs. KONICK. This is not a statement. It is an answer.

Mr. WHEELER. Some of it is not.

Mr. JOHANSEN. How long is it?

Mrs. KONICK. The question inquired——

Mr. DOYLE. How many pages is it, Mrs. Konick?

Mrs. KONICK. A page and a half of double-line space.

Mr. DOYLE. Well, proceed as rapidly as you can, please.

Mrs. KONICK. 3. The question is not pertinent or relevant to the mandate of this committee, or to the declared purpose of this investigation, or to any proper inquiry or legitimate legislative purpose of this committee;

4. The question inquires into my beliefs and associations, and abridges my liberty and rights, as guaranteed by the first amendment;

5. Upon the further ground that the question calls for me to condemn and accuse myself from my own lips, that is, tends to incriminate me in violation of the guarantee of the fifth amendment;

6. The committee lacks jurisdiction over me because:

A. Of the lawful exercise of its subpena power; and,

B. The unlawful delegation of its authority and subpena power.

Mr. WHEELER. This has nothing to do with her husband's name. I asked her if she is Mrs. Sam Konick.

Mr. TUCK. I request that you order and direct her to answer that question.

Mr. DOYLE. As long as you have read this statement, we'd like to have the statement left with the committee.

Now, I direct you to answer the question asked you.

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. DOYLE. Well now, leave the statement with the committee, please.

Mrs. KONICK. This is my property and I would request to keep it.

Mr. DOYLE. No, you read it to the committee. We have allowed it to go into the record, and we want the statement left with us.

You are appearing before a committee, and that is your statement, so just leave it with our clerk, please.

Otherwise, we are not going to permit you to refer to it again. That statement was written by you with the assistance of your counsel, wasn't it?

Mrs. KONICK. It was prepared with the assistance of my counsel.

Mr. DOYLE. Certainly. It's exactly the same statement that one of the other witnesses read just a few minutes ago.

Proceed, Mr. Wheeler.

Mr. WHEELER. Will you state your maiden name, please?

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. WHEELER. Mr. Chairman, it is a mere question of identification of the witness.

Mr. DOYLE. That's right.

I instruct you to answer, Witness.

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. TUCK. Mr. Chairman, I suggest that you order and direct her to answer the question, and that you advise her that she may be subjecting herself to some involvement with the Department of Justice in connection with defiance of a regularly constituted committee of the United States Congress.

Mr. DOYLE. I instruct you to answer the question, Witness.

We believe it is a pertinent and proper question. You have heard Governor Tuck's statement in the premise, and he states that on behalf of the committee.

Mrs. KONICK. I would like to have a statement as to the purpose—of the legislative purpose of this committee.

Mr. DOYLE. Counsel, don't take up the time of the committee. If she was going to ask that question, why didn't you tell her to ask it at the beginning?

Mr. JOHANSEN. And already passed judgment on the stated purpose of this hearing.

Mr. WHEELER. He knows the statement anyway. It's been read to him.

Mr. DOYLE. You had your other witnesses have us repeat that opening statement. You know what it is.

Mr. MANES. Mr. Chairman, I have only been here with one other witness. The statement wasn't read, Mr. Chairman, and I have no knowledge as to the statement.

Mr. JOHANSEN. Then why did your witness' statement make a statement as to the validity of the stated purpose? You can't have it both ways.

Mr. MANES. I am not testifying here. I am here to advise my client as to her rights; that's all.

Mr. DOYLE. That is right. That's all you're entitled to do.

Mr. TUCK. Mr. Chairman, in view of the fact that the witness may be subjected to some type of investigation in regard to her defiance of the committee, and some proceedings may be taken in regard to her being in contempt of the committee, in order to proceed, I would suggest that the counsel read the purpose.

Mr. DOYLE. Mr. Wheeler, will you please read that part of the opening statement, that applies?

Mr. WHEELER. The Committee on Un-American Activities adopted the resolution on January 17, 1962, which reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States * * * .

The chairman of the subcommittee has explained that at the time that resolution was passed, on January 17, the staff of this committee was assisting him in the preparation of a bill which he introduced on January 30 of this year, H.R. 9944, amending the Internal Security Act of 1950—that is, amends the registration provisions of it, and makes membership in the Communist Party unlawful, and that bill has been referred to this committee, and this hearing relates to that.

Mr. TUCK. Now, I would suggest that the stenographer read back the question, since the counsel has asked it, and see whether or not she still refuses to answer questions.

(Record read by the reporter.)

Mr. DOYLE. I direct the witness to answer the question. It is a matter of identity, and we have read to you the pertinency of the question.

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. DOYLE. All right, proceed, Mr. Wheeler.

Mr. TUCK. Mr. Chairman, it seems to me that this witness has obviously made herself in contempt of this committee.

Mr. DOYLE. Well, the record will show, Governor.

We can stand on the record, whatever it is, when the time comes.

Mr. WHEELER. Will you give the committee the date of your birth, please, and where?

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. DOYLE. I instruct you to answer the question, Witness.

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. WHEELER. Is your maiden name Helen Mendelowitz; and born in New York City?

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. DOYLE. I instruct you to answer the question, Witness. We are entitled to have your identity.

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. WHEELER. Is Sam Konick your husband?

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. WHEELER. Give the committee your current address, please.

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. TUCK. Do you honestly and sincerely apprehend that if you stated to this committee your address and the name of your husband, that that would subject you to——

Mrs. KONICK. I decline——

Mr. TUCK.—to a criminal prosecution?

Mrs. KONICK. In my opinion, yes.

Mr. DOYLE. Any other questions?

Mr. WHEELER. Yes, I have.

Our investigation, Mrs. Konick, discloses that between January 29–31, 1960, you attended the second session of the Second Convention of the Communist Party, Southern District of California. We would like to ask if you were there?

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. WHEELER. Are you now a member of the Communist Party?

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. WHEELER. Mr. Chairman, I would like to introduce the subpena return in the record as Konick Exhibit No. 1, which indicates the subpena was served at 1067 Sentinel Avenue, Los Angeles. I would like to ask you if you reside at that address?

Mrs. KONICK. I decline to answer on the grounds previously stated.

Mr. DOYLE. Under what name was the subpena served, please?

Mr. WHEELER. Helen Konick.

Mr. DOYLE. Very well, we will receive it, mark it as an exhibit.

(Document marked "Konick Exhibit No. 1" and retained in committee files.)

Mr. TUCK. Mr. Chairman, I would suggest that if we are through with the witness, and I have no questions, that we call in one more witness, and then that we recess until tomorrow morning at 8 o'clock.

Mr. DOYLE. There are some attorneys out there, Governor, who want to know when they can expect to appear.

Mr. TUCK. I am making that suggestion so that you can send word out.

Mr. DOYLE. All right.

Now I am asking you to leave your statement. The rules of the committee are if you read a statement, you file the statement with the committee.

Mr. MANES. With all due deference, Mr. Chairman, it is not a statement.

Mr. DOYLE. It is a statement that she read to this committee.

Mr. MANES. It is the property of this witness, and it is simply to help her in giving the answer to the committee, not designed to make any kind of a statement to the committee. She desires to keep it.

Mr. DOYLE. You know better than that, Counsel. You helped her draw that as her answer to this subpena.

Well, certainly it is an answer. It is not just a statement. It is an answer to the subpena.

Mr. MANES. She desires to keep it, Mr. Chairman.

Mr. DOYLE. Well, we want it filed with the committee, under the rules of the committee.

Mr. MANES. I do believe, Mr. Chairman, that without her consent, it would be abridgment of her right to have her own property and to keep it.

Mr. DOYLE. The next time you come before this committee as an attorney for the witness, you follow the rules of the committee.

Mr. MANES. I always try to.

Mr. DOYLE. Well, you haven't in this case.

Mr. MANES. May we be excused, Mr. Chairman?

Mr. DOYLE. Yes, you are excused.

Mr. MANES. Thank you.

(Witness excused.)

Mr. DOYLE. Let's have the next witness—Mr. Beyea.

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BEYEA. I do.

TESTIMONY OF FRANK BEYEA, ACCOMPANIED BY COUNSEL, HARRIETT BUHAI

Mr. WHEELER. Will the witness state his name, please?

Mr. BEYEA. Frank Beyea.

Mr. WHEELER. Would you spell the last name?

Mr. BEYEA. B-e-y-e-a.

Mr. WHEELER. I notice you are represented by counsel. Would the counsel identify herself for the record?

Miss BUHAI. Harriett Buhai.

Mr. WHEELER. Would you state your residence, please?

Mr. BEYEA. I stand on my constitutional rights and refuse to answer this question, stand on the first and fifth amendments.

Mr. WHEELER. It is merely a matter of routine identification of the witness.

Mr. DOYLE. Mr. Beyea, I instruct you to answer. We feel that Congress is entitled to know the identity of any person appearing before a congressional committee. That is why we are asking you this question.

Mr. BEYEA. I am here in answer to a subpena, and I think this is sufficient information.

Mr. DOYLE. In other words, you think the subpena contains your address, is that it?

Mr. JOHANSEN. The witness answered in the affirmative as to that. Is that correct?

Mr. DOYLE. Yes, he shook his head manifestly.

Mr. WHEELER. Mr. Chairman, I have the subpena return, which indicates it was served at 2425 North Keystone Street, Burbank, California.

Is that your residence address?

Mr. BEYEA. I refuse to answer: take my rights under the first and fifth amendment of the Constitution of the United States.

Mr. WHEELER. I introduce the subpena-return in the record.

Mr. DOYLE. It will be received as an exhibit.

(Document marked "Beyea Exhibit No. 1" and retained in committee files.)

Mr. WHEELER. Would you tell the committee your occupation?

Mr. BEYEA. I refuse to answer on the same grounds. I don't see the pertinence of it.

Mr. WHEELER. It is still a matter of identification. Are you a carpenter?

Mr. BEYEA. I refuse to answer on the grounds of the first and fifth amendment.

Mr. WHEELER. Will you tell the committee the date of your birth, please?

Mr. BEYEA. I fail to see the pertinence of this or the relevance of it. I refuse to answer on the ground of the first and fifth.

Mr. WHEELER. Will the chairman please direct the witness to answer?

Mr. DOYLE. I instruct you to answer. It certainly couldn't involve you in any possible criminal prosecution because you were born, could it? You had nothing to do with it.

Mr. BEYEA. I refuse to answer. I take the same grounds, first and fifth amendment.

Mr. WHEELER. You feel an answer to this question would incriminate you, and might lead to criminal proceedings by the Government against you?

Mr. BEYEA. I refuse to answer this question on the same grounds.

Mr. TUCK. You refuse to answer that question.

The only way in which he can avail himself of the protection of the fifth amendment, would be to answer the last question "yes," in the affirmative.

Having refused to do so, he denies himself any privileges that he might have by reason of the fifth amendment, and therefore I request you to order and direct him to answer the question.

Mr. DOYLE. All right, I will be glad to do so, and let the record so reflect.

Witness, I instruct you to answer that last question.

Mr. BEYEA. I don't understand the question.

Mr. TUCK. The question was, as I understand it, whether or not you honestly apprehend that if you told the committee your address and your occupation, would that subject you to some type of criminal prosecution?

Mr. BEYEA. I don't understand the pertinence of the question.

Mr. WHEELER. Certainly this committee has a right to know your identity, and the only way that you can avail yourself of the fifth amendment, of the protection that the fifth amendment affords American citizens, would be for you to be in a position where you could honestly and sincerely state that in your opinion, an answer to that question would subject you to a criminal prosecution.

Mr. BEYEA. I refuse to answer the question because the answer may tend to incriminate me.

Mr. DOYLE. Proceed.

Mr. BEYEA. Stand on the fifth amendment.

Mr. WHEELER. Mr. Beyea, have you been known under any other name?

Mr. BEYEA. I refuse to answer on the grounds of the first and fifth amendment of the Constitution of the United States.

Mr. DOYLE. I instruct you to answer the question. The United States Congress is entitled to know the identity of witnesses appearing before congressional committees. That is all these questions are, questions of identity, Counsel.

Mr. BEYEA. I still refuse to answer under the first and fifth amendment. I am subpenaed and I am present.

Mr. WHEELER. When did you join the Communist Party?

Mr. BEYEA. I refuse to answer that question, as I stand on the ground of the first and fifth amendment of the Constitution, a lack of relevancy.

Mr. WHEELER. Mr. Chairman, during the investigations in California, we acquired a membership list of the Communist Party of Los Angeles County.

This is a membership for 1937. I refer to this record, and see here the name, Frank Beyea; party name, Francis Bellamy.

Do you recall using that name as a party name in the Communist Party?

Mr. BEYEA. I refuse to answer the question on the first and fifth amendment.

Mr. WHEELER. The address given at that time was 3115 North Kenwood, Burbank. Did you live at this address in 1937?

Mr. BEYEA. I stand on the first and fifth amendment.

Mr. WHEELER. This information reflects that you joined the Communist Party on July 14, 1936, is that correct?

Mr. BEYEA. I refuse to answer this question on the grounds of the first and fifth amendment of the Constitution of the United States.

Mr. WHEELER. At that time, you were 28 years of age, according to the records of the Communist Party. This would mean you were born in 1908, is that correct?

Mr. BEYEA. I refuse to answer this question on the same grounds.

Mr. TUCK. Do you deny the accuracy of the information which counsel has just revealed to this committee?

Mr. BEYEA. I refuse to answer this committee on the same grounds previously.

Mr. WHEELER. Your occupation was given as a copy holder. I don't exactly know what a copy holder is. Would you enlighten the committee on this particular job?

Mr. BEYEA. I refuse to answer the question on the same grounds.

Mr. WHEELER. It also states on Communist Party records that you were a member of the American Civil Liberties Union, correct?

Mr. BEYEA. Same grounds.

Mr. WHEELER. Also, a member of the International Labor Defense?

Mr. BEYEA. I refuse to answer this question on the first and fifth amendment.

Mr. WHEELER. And you were recruited into the Communist Party by Adam Boose. Do you know Mr. Boose?

Mr. BEYEA. I refuse to answer this question on the same grounds as before.

Mr. WHEELER. And that you were assigned to Unit L–5 in the San Fernando Section, Communist Party, is that correct?

Mr. BEYEA. I refuse to answer this question on the grounds of the first and fifth amendment.

Mr. WHEELER. Mr. Beyea, do you know or did you know at any time, a man by the name of William Kimple?

Mr. BEYEA. I refuse to answer this question on the grounds of the first and fifth amendment.

Mr. WHEELER. For the record, Mr. Kimple was a member of the Los Angeles Police Department for a number of years and assigned to work undercover in the Communist Party. He acquired the position of assistant membership director of the Communist Party of Los Angeles County. He's testified at length before the committee in executive session. I refer to his testimony of April 18, 1955. And Mr. Kimple was reviewing a list of the Workers Alliance of America and Mr. Beyea's name appeared as a member of Workers Alliance.

Were you a member of Workers Alliance at that time, this goes back to 1937?

Mr. BEYEA. I refuse to answer this question on the grounds of the first and fifth amendment.

Mr. WHEELER. Mr. Kimple was asked to identify people he knew as members of the Communist Party from the Workers Alliance, and he identified Frank Beyea, 3115 Kenwood, Burbank, California. Was Mr. Kimple correct in his identification of you as a member of the Communist Party?

Mr. BEYEA. I refuse to answer this question on the same grounds.

Mr. WHEELER. Mr. Kimple further testified on April 21, 1955, that he knew Frank Beyea as a member of the CommunistParty, and also indicated that your party name was Francis Bellamy, as indicated on the party records, to which I previously referred. Was Mr. Kimple correct?

Mr. BEYEA. I refuse to answer this question on the same grounds, as previously.

Mr. TUCK. In your refusal to answer the questions, are we to understand that you dispute the accuracy of any part or all of the information which has been brought to light before the committee in your presence?

Mr. BEYEA. I refuse to answer this question under the same grounds, the first and fifth amendments of the Constitution of the United States.

Mr. WHEELER. Are you now the organizer of the Valley Section of the Communist Party, Southern District of California?

Mr. BEYEA. I refuse to answer this question on the grounds of the first and fifth amendment.

Mr. WHEELER. Were you not the Valley Section representative to the Communist District Committee before it was dissolved in June 1961?

Mr. BEYEA. I refuse to answer this question on the same grounds.

Mr. WHEELER. Why was the District Committee dissolved?

Mr. BEYEA. I refuse to answer on the same grounds, as previously, the first and fifth amendment of the United States Constitution.

Mr. WHEELER. Isn't it a fact it was dissolved shortly after June 5, after the Supreme Court decision requiring members of the Communist Party to register?

Mr. JOHANSEN. That was June 5 of last year?

Mr. WHEELER. June 5 of last year.

Mr. BEYEA. I refuse to answer on the same grounds, the first and fifth amendment.

Mr. WHEELER. You registered with the Department of Justice?

Mr. BEYEA. I refuse to answer this on the grounds of the first and fifth amendment of the constitution.

Mr. WHEELER. I notice from our records that you were a member of the Independent Progressive Party in 1954, is that correct?

Mr. BEYEA. I refuse to answer this also on the same grounds as previously.

Mr. WHEELER. Are you now a member of the Communist Party?

Mr. BEYEA. I refuse to answer this question on the same grounds, first and fifth amendment.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mr. BEYEA. I refuse to answer this question on the same grounds as previously.

Mr. WHEELER. I have no further questions.

Mr. DOYLE. Any questions?

Mr. TUCK. I have no questions.

Mr. JOHANSEN. No questions.

Mr. DOYLE. I have no questions, Counsel, thank you.

Mr. DOYLE. Witness excused.

(Witness excused.)

Mr. DOYLE. When the committee recesses, as we are doing now, we will reconvene tomorrow morning at 8 o'clock.

(Whereupon, at 5:50 p.m., Wednesday, April 25, 1962, the subcommittee recessed, to reconvene at 8 a.m., Thursday, April 26, 1962, in the same location.)

"UNITED FRONT" TECHNIQUE OF THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

THURSDAY, APRIL 26, 1962

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, California.

EXECUTIVE SESSION [1]

The subcommittee of the Committee on Un-American Activities reconvened at 8:15 a.m., pursuant to recess, in Room 519, United States Federal Building, Representative Clyde Doyle (chairman of the subcommittee presiding).

Subcommittee members: Representatives Clyde Doyle, of California; Edwin E. Willis, of Louisiana; William M. Tuck, of Virginia; Gordon H. Scherer, of Ohio, and August E. Johansen, of Michigan.

Subcommittee members present: Representatives Doyle, Tuck, Scherer, and Johansen.

Staff members present: Frank S. Tavenner, Jr., director, and William A. Wheeler, investigator.

Mr. DOYLE. Let the record show that the subcommittee reconvened April 26, at 8:15 a.m., with subcommittee members Messrs. Tuck, Scherer, Johansen, and Doyle present.

Mr. Bissey, do you solemnly swear that the testimony you are about to give before this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BISSEY. I do.

Mr. DOYLE. Thank you. Please be seated.

TESTIMONY OF WESLEY A. BISSEY, ACCOMPANIED BY COUNSEL, ANTHONY V. RANDLES

Mr. WHEELER. State your name, sir.

Mr. BISSEY. Wesley Bissey, B-i-s-s-e-y.

Mr. WHEELER. Where do you reside?

Mr. BISSEY. I fail to see the pertinence of such a question, sir.

Mr. WHEELER. Was a subpena served on you at 8741 Elm Avenue, San Gabriel?

Mr. BISSEY. I have a subpena.

Mr. WHEELER. Do you have it with you?

Mr. BISSEY. No, I don't have it with me.

Mr. WHEELER. Does your attorney have it?

Mr. BISSEY. No.

[1] Released by the committee and ordered to be printed.

Mr. WHEELER. Was the subpena served upon you at this address?
Mr. BISSEY. I think the subpena, sir, speaks for itself.
Mr. DOYLE. Well, do you have the subpena with you?
Mr. BISSEY. No, sir.
Mr. DOYLE. I will introduce a copy.
Mr. WHEELER. I ask, Mr. Chairman, he be instructed to answer the question.
Mr. DOYLE. I instruct you to answer the question.
Clearly, the Congress is entitled to have your identity, and that is what this question goes to. Now, we have accommodated your counsel and you this morning by calling you first; and if you want to take all the time you can, technically, of the committee and of your counsel and yourself, why, that's okay with us.
Mr. BISSEY. That is right, sir.
Mr. JOHANSEN. The answer is, "That is right, sir."
Mr. DOYLE. What question are you answering?
Mr. JOHANSEN. About the subpena being served.
Mr. BISSEY. What was the question? I answered it, didn't I?
Mr. DOYLE. Thank you very much. Let's proceed, then.
Mr. WHEELER. Would counsel identify himself, please?
Mr. RANDLES. Anthony V. Randles, R-a-n-d-l-e-s.
Mr. WHEELER. Your occupation, Mr. Bissey?
Mr. BISSEY. I don't see any pertinency as to my occupation in this hearing. If there is such, I would like to hear it.
Mr. DOYLE. I would suggest, Mr. Wheeler, you read the resolution and we will save everyone's time.
Mr. WHEELER. The resolution is pertinent to the question I asked.
Mr. DOYLE. Well, I know, but he will raise the question. He raised it twice and he will keep on raising it until you read it.
Mr. WHEELER. On January 17, 1962, the Committee on Un-American Activities in Washington, D.C., passed the resolution, which reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States, and that the staff of the Committee be authorized to conduct investigations deemed reasonably necessary in preparation for said hearings.

You understand the resolution?
Mr. BISSEY. I think so.
Mr. WHEELER. Will you give us your occupation?
Mr. BISSEY. I refuse to answer, sir, and I base my refusal on the lack of pertinency and also on the first amendment and the fifth amendment of the Constitution and the Bill of Rights.
Mr. DOYLE. I instruct you to answer the question.
Mr. BISSEY. Sir?
Mr. DOYLE. I say, I instruct you to answer the question.
Mr. BISSEY. I refuse to answer, and I base my refusal on lack of pertinency and I also take advantage of my privilege by refusing on the first amendment and fifth amendment.
Mr. WHEELER. Were you born in Lamont, Oklahoma, September 9, 1903?

Mr. BISSEY. I refuse to answer the question because of lack of pertinency and also refuse on the basis of the first amendment and the fifth amendment.

Mr. DOYLE. I instruct you to answer that question.

It is always pertinent to the United States Congress to know where people were born and who they are. This goes to the question of identity and, certainly, it couldn't possibly bring you into the area of criminal prosecution to tell where you were born. It certainly has no association with criminal prosecution—the fact that you were born some place. I just make that statement for your information, showing the justification of this question going to identity. I want the record to show that.

(Discussion off the record.)

Mr. DOYLE. I know counsel and witness realize we are in conference a few minutes on a serious question for us to decide.

We have here a record of the witness' birth and a photograph showing certain information; and the question is whether or not we should place it in the record.

Mr. TUCK. I might add that the witness might not like to hear this next question asked; that the committee would not ask the question if he had identified himself properly.

Mr. WHEELER. Mr. Bissey, I hand you a police record photograph indicating FBI No. 98 868, and ask if that is your picture?

Can you identify that picture of yourself?

Mr. BISSEY. I refuse to answer the question, sir, and I base my refusal to answer on the previously stated reasons.

Mr. WHEELER. I ask this be introduced in evidence as Bissey Exhibit No. 1.

Mr. DOYLE. May I compare it, please?

I ask the subcommittee to view this picture.

Mr. TUCK. I have looked at the picture and I am looking at the witness, and the picture and the witness are obviously one and the same person.

Mr. JOHANSEN. I concur in that judgment.

Mr. DOYLE. It will be received in the record.

(Document marked "Bissey Exhibit No. 1" and retained in committee files.)

Mr. WHEELER. Mr. Bissey, I hand you a second document, which I wish to introduce as Bissey Exhibit No. 2, from the United States Department of Justice, Federal Bureau of Investigation. It purports to be a criminal record of a W. A. Bissey, Wesley A. Bissey, alias James Snyder, S-n-y-d-e-r.

I would like to state that FBI No. 98 868 on this document, is the same number as the one on Bissey Exhibit No. 1.

On the third page of this exhibit is the description: "Race: White. Sex: Male. Height: 5'10". Weight: 163. Hair: Grey brown. Eyes: Blue. Birth: 9–9–03 at Lamont, Oklahoma."

And I would like to ask you if this is your criminal record?

Mr. DOYLE. Let the record show that counsel and witness are examining the exhibit and that the exhibit was handed to them by Mr. Wheeler.

Mr. BISSEY. I refuse to answer the question, sir, on the same reasons as previously stated.

(Document marked "Bissey Exhibit No. 2" and retained in committee files.)

Mr. DOYLE. I just wish to make this observation at this point: You can't say, Witness and Counsel, before this identification was used, that I didn't endeavor to make it clear to the witness that it was purely a question of identification. We were entitled to know his place of birth, and he stood on his constitutional rights, but he also has the right to put us to proof, and I think we have proven who he is. We regret we had to use this method, but this was the only method at our disposal to prove who this witness is.

Mr. WHEELER. How long have you resided in California, Mr. Bissey?

Mr. BISSEY. I refuse to answer the question, sir, for the same stated reasons.

Mr. WHEELER. Our investigation developed information and the fact that you have been here at least since 1945, when in that year you were a member of the San Gabriel Valley Club of the Communist Political Association; is that correct?

Mr. BISSEY. I refuse to answer the question, sir, for the previously stated reasons.

Mr. WHEELER. You have likewise been an instructor of Marxist classes in San Gabriel intermittently over a period of years, is that correct?

Mr. BISSEY. I refuse to answer the question for the same reasons as previously stated.

Mr. WHEELER. In 1958, were you a delegate on the Southern California District Council of the Communist Party, representing the San Gabriel Section of the party?

Mr. BISSEY. I refuse to answer that question for the same reasons as previously stated.

* * * * * * *

Mr. WHEELER. Mr. Bissey, we have made considerable inquiries into the operation of the Communist Party, Southern California District, and we feel that you are in a position to help us, if you would. It appears that you will not. However, we have had under inquiry at this hearing, a convention of the Communist Party—that is, the Second Convention of the Communist Party's Southern California District.

Our records disclose that on November 22, 1959, you were in attendance at the first session of the Second Convention of the Communist Party, Southern California District, and I would like to ask you if you would help us develop information on what occurred at that convention? Will you help us?

Mr. BISSEY. I guess I don't understand your question, sir.

Mr. WHEELER. Well, were you present at this convention?

Mr. BISSEY. I refuse to answer the question based on the same reasons as I have previously stated.

Mr. WHEELER. Then you are declining——

Mr. BISSEY. I am declining.

Mr. WHEELER. —to help this committee in its legislative work?

Mr. BISSEY. For the same reasons, sir, as previously stated.

Mr. WHEELER. Are you presently a member of the Communist Party?

Mr. BISSEY. I refuse to answer that question for the same reasons.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mr. BISSEY. I refuse to answer that question for the same reasons as I have previously given.

Mr. WHEELER. Mr. Bissey, were you a member of the Independent Progressive Party here in the State of California?

Mr. BISSEY. I refuse to answer that question, sir, for the same reasons.

Mr. WHEELER. We have considerable evidence in the record, Mr. Chairman, that the Independent Progressive Party was a brain child of the Communist Party and it was through the Communist Party's endeavor that it was placed upon the ballots of the State of California.

I have here an Independent Progressive Party petition which was circulated by various individuals in Los Angeles. The Communist Party also was instructed to circulate these petitions. I identify this petition as No. 4985, bearing the date of February 1, 1948. It appears that the petition was circulated by Wesley A. Bissey.

Now, your middle name is Arthur; is that correct?

Mr. BISSEY. I refuse to answer the question, sir, based on the same reasons as previously given.

Mr. DOYLE. Mr. Wheeler, in this Federal Bureau of Investigation Report No. 98 868, the following names appear in the column titled "Name and Number" with reference to this witness: Wesley Alexander Bissey, W. A. Bissey, Wesley A. Bissey, Wesley Abraham Bissey, James Snyder, Wesley Arthur Bissey. So, apparently, this witness was known in the Department of Justice by each and all of those different names.

Mr. WHEELER. Yes, sir.

I have no further questions.

Mr. DOYLE. Any questions?

Mr. JOHANSEN. None.

Mr. TUCK. None.

Mr. DOYLE. I have no further questions.

Thank you, sir.

(Witness excused.)

Mr. DOYLE. Call the next witness.

Will you be sworn, Mrs. Burgess.

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BURGESS. I affirm to tell the truth.

Mr. DOYLE. Will you notice the witness affirms? Let the record so show.

TESTIMONY OF MARGARET CARL BURGESS, ACCOMPANIED BY COUNSEL, IRVING RAY

Mr. WHEELER. Will the witness kindly state her name?

Mrs. BURGESS. Margaret Carl Burgess, B-u-r-g-e-s-s.

Mr. JOHANSEN. Would you please speak up? It's a little hard to hear.

Mr. WHEELER. Will counsel please identify himself?

Mr. RAY. Irving Ray, R-a-y.

Mr. WHEELER. And you are in the legal profession in Los Angeles?

Mr. RAY. Yes, sir.

Mr. WHEELER. Will the witness state her maiden name, please?

Mrs. BURGESS. I have identified myself. I will stand on the grounds of the first and the fifth.

Mr. WHEELER. You previously stated your maiden name. You said Margaret Carl Burgess.

Mrs. BURGESS. My name is Margaret Carl Burgess.

Mr. WHEELER. Isn't your maiden name Carl?

Mrs. BURGESS. The same.

Mr. DOYLE. I might state this: The question goes to the identity of the witness and that is the purpose of this question. We feel Congress, under the law, is clearly entitled to know the identity of every witness before any congressional committee, and that is the purpose of the question. It only goes to that one purpose.

Mrs. BURGESS. My name is Margaret Carl Burgess.

Mr. JOHANSEN. And your maiden name is what?

Mrs. BURGESS. I will give the same answer.

Mr. JOHANSEN. Well, I ask the chairman to direct the witness to answer my question.

Mr. DOYLE. There is no possible basis of self-incrimination in identification of the witness.

Mrs. BURGESS. I have stated my answer.

Mr. DOYLE. That is your complete answer?

Mrs. BURGESS. That is my complete answer.

Mr. DOYLE. Let's proceed, Mr. Wheeler.

Mr. WHEELER. Are you Mrs. Walter Kenneth Burgess?

Mrs. BURGESS. I—Am I directed to answer the question?

Mr. DOYLE. I direct you to answer the question.

Mrs. BURGESS. My name is Margaret Carl Burgess. That's the name I received the subpena under and that's my name.

Mr. DOYLE. Do you go by any name other than the name under which you were subpenaed? If you do, by what name?

Mrs. BURGESS. Well, am I asked to answer the question?

Mr. DOYLE. Yes.

Mrs. BURGESS. I refuse respectfully to answer that question on the grounds of the first and the fifth.

Mr. DOYLE. Let's proceed.

Mr. WHEELER. When and where were you born?

Mrs. BURGESS. I would answer that by taking the first and the fifth, and I would like to ask the pertinency of the question.

Mr. WHEELER. Well, the pertinency of the question is just mere identification. We have the right to identify for the record the individual whom we subpenaed.

Mrs. BURGESS. I would like it shown in the record that I question the pertinency of these questions.

Mr. DOYLE. I suggest, Mr. Wheeler, then, you read the text of the resolution under which this committee operates, and if you want to take your time and counsel's time and our time for that, all right, let's do it.

Mrs. BURGESS. Will you read the——

Mr. WHEELER. The Committee on Un-American Activities on January 17, 1962, met in Washington, D.C., and passed this resolution which reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States, and that the staff of the Committee be authorized to conduct investigations deemed reasonably necessary in preparation for said hearings.

That is the text of the resolution.

Mrs. BURGESS. Thank you.

Mr. WHEELER. Now, when and where were you born?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and fifth amendments.

Mr. DOYLE. I instruct you to answer the question so the record will clearly show what the situation is.

Mr. TUCK. Mr. Chairman, I would like to make one observation for the record.

It seems to be a uniform practice of the witnesses in these hearings to object to questions relating solely to identification, questioning the pertinency of these questions, and to invoke the claim of freedom from self-incrimination. I think the record ought to make very clear the hypocrisy of this sort of a tactic. There is no one, more so than these witnesses, who would exultantly capitalize on any case of mistaken identity by this committee. They do their best to exploit it, and make it out as a case against the committee. Therefore, this committee is being meticulous in its efforts to establish identity. And I just think the record ought to point up that complete hypocrisy of such witnesses.

Mr. DOYLE. Of course, it was seen by myself and others yesterday that when a witness has left this hearing room with counsel—for instance, the first witness that we had yesterday—they go where the remaining witnesses gathered and use their notes to inform the witnesses what the proceedings here were, so that by agreement and arrangement, they would know what to do.

Proceed, Mr. Wheeler.

Mr. WHEELER. Is this date correct for your birth: November 8, 1903, Ortonville, Minnesota?

Mrs. BURGESS. I refuse to answer on the grounds of the first and the fifth, and you will notice that I mentioned the first, as well as the fifth.

Mr. JOHANSEN. Oh, yes, we noticed.

It is obvious, Mr. Chairman, that this witness couldn't possibly adversely affect herself in anyway, in any charge that may be brought against her, by revealing her identity to this committee, and I suggest that you order and direct her to answer that question.

Mr. DOYLE. This, I do, Witness. I direct you to answer that question. Manifestly, you couldn't possibly be subject to criminal prosecution because you were born, could you? Do you believe that if you honestly answered that question that you would place yourself subject to criminal prosecution, the possibility?

Mrs. BURGESS. I refuse to answer on the grounds of the first and the fifth.

Mr. DOYLE. I direct you again to answer that question.

Mrs. BURGESS. Yes, I do believe it would tend to incriminate me.

Mr. DOYLE. All right. Let's proceed, Mr. Wheeler.

Mr. WHEELER. Previous to your marriage to Mr. Walter Burgess, were you married to Arthur Evans?

Mrs. BURGESS. I respectfully refuse to answer on the same grounds of the first and fifth.

Mr. WHEELER. Would you give the committee your occupation, please?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and the fifth.

Mr. WHEELER. The witness is a designer. I see where she has worked for some rather prominent companies.

I hear from your reputation you are quite a good designer. Don't you want to discuss your employment background with the committee? Again, this is an identification question.

Mrs. BURGESS. Am I ordered to answer the question?

Mr. DOYLE. I do order you.

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and—Is it all right if I smoke?

Mr. DOYLE. Yes, indeed.

Mr. WHEELER. Where do you reside, Mrs. Burgess?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and the fifth.

Mr. WHEELER. The subpena return, Mr. Chairman, shows the subpena was served on Margaret Carl Burgess at 6733 Carmelita, North Hollywood, on the 12th day of April 1962.

I may note time of service was 7 a.m.

Was this served at your residence?

Is this your residence address?

Mr. JOHANSEN. What hour of the day is that?

Mr. DOYLE. 7 a.m.

What hour does it show that subpena was served, Mr. Wheeler?

Mr. WHEELER. 7 a.m.

Mr. DOYLE. Well, apparently the witness was at that place at that time.

Mr. JOHANSEN. I think she should answer this question, Mr. Chairman, as to whether it was served at her residence.

Mr. DOYLE. You heard that question, Witness?

Mrs. BURGESS. Yes, I heard it.

Mr. DOYLE. What is your answer?

Mrs. BURGESS. Are you ordering me to answer?

Mr. DOYLE. Yes. If you want me to order you every time, let us have an understanding. I will do it. It takes your time and your counsel's.

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and the fifth amendment.

Mr. WHEELER. Mr. Chairman, I mentioned in yesterday's hearings that the committee in its investigations had acquired a great many Communist Party records for the year 1937 which were introduced during the executive testimony of William Kimple, who was a member of the Los Angeles Police Department and infiltrated the Communist Party at the direction of the police department. Included in these records is a card indicating Margaret Carl joined the Communist

Party 1934; occupation, designer; member of the "Women's Council"; at that time, 31 years of age; and she was assigned to the San Fernando Section, Unit L–2.

Now, is this information correct? Did you join the Communist Party in 1934?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and fifth.

Mr. DOYLE. Well, apparently, Mr. Wheeler, this witness is the same person whose records you just gave to the committee as Margaret Carl.

Mr. WHEELER. Mrs. Burgess, were you a delegate to the Communist Party District Council from the Valley Section of the Communist Party in the years 1958, '59, '60, and '61?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and fifth amendments.

Mr. WHEELER. We have you recorded as attending a great number of the meetings of the District Council during that period of time. Is that correct?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and fifth amendments.

Mr. WHEELER. Are you acquainted with an organization called Women Strike for Peace?

Mr. BURGESS. I respectfully refuse to answer on the grounds of the first and fifth amendments.

Mr. WHEELER. Were you in a peace demonstration sponsored by Women Strike for Peace on November 1, 1961, here in Los Angeles in front of the City Hall? Did you receive instructions from the Communist Party to participate in this demonstration?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and fifth amendments of the United States Constitution.

Mr. DOYLE. What time of day was that demonstration? Do you know?

Mr. WHEELER. It was in the morning, sir.

Mr. DOYLE. During working hours?

Mr. WHEELER. Yes, sir.

Mr. DOYLE. Well, of course, if it was during working hours that this witness was in the demonstration, she could not have been on the job too, could not have been on the job where she was employed and also in that alleged peace demonstration. But that is what the Communist Party does, you know. It requires its members to sacrifice everything—money, time, strength, brains, and even loyalty to the United States of America.

Mr. WHEELER. Our files reflect that on July 9, 1960, there was another peace demonstration. This demonstration was called Walk and Rally for Disarmament. You likewise participated in that demonstration, did you not?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and fifth amendments of the Constitution.

Mr. WHEELER. Was this by direction of the Communist Party, your participation in the peace demonstration?

Mrs. BURGESS. I respectfully refuse on the grounds of the first and fifth amendment of the Constitution.

Mr. WHEELER. You know, Mrs. Burgess, a lot of these peace organizations, the majority of them, are probably in good faith. I wonder if they appreciate the support of the Communist Party?

Did the organizers of these demonstrations know of your membership in the Communist Party?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the fifth and first amendments of the Constitution.

Mr. WHEELER. Are you presently a member of the Communist Party?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and fifth amendments of the Constitution.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mrs. BURGESS. I respectfully refuse to answer on the grounds of the first and fifth amendments of the Constitution.

Mr. WHEELER. I have no further questions.

Mr. DOYLE. Any questions?

Mr. JOHANSEN. None.

Mr. TUCK. I have none.

Mr. DOYLE. I have no further questions.

Thank you very much.

(Witness excused.)

Mr. DOYLE. Mr. Snider, do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SNIDER. I do.

Mr. DOYLE. Thank you. Please take the witness chair.

TESTIMONY OF IRVING A. SNIDER, ACCOMPANIED BY COUNSEL, ROBERT L. BROCK

Mr. WHEELER. Will you state your name, please.

Mr. SNIDER. Irving Snider.

Mr. WHEELER. You are accompanied by counsel. Will counsel state his name?

Mr. BROCK. Robert L. Brock. B-r-o-c-k.

Mr. WHEELER. Give us your residence address, Mr. Snider.

Mr. BROCK. Could we have the statement of pertinency read first, please?

Mr. Chairman, I don't mean to interrupt, but may I repeat the suggestion made yesterday: While everybody is here, just read it once?

Mr. DOYLE. We would rather do it individually. I know it takes our time and yours, too.

Mr. BROCK. I could make another copy and hand it out to each of the witnesses ahead of time.

Mr. JOHANSEN. Of course, it is then not on the record.

Mr. BROCK. We would then come in and admit we have read it.

Mr. JOHANSEN. I suggest we proceed in the regular order.

Mr. WHEELER. The House Committee on Un-American Activities met on January 17, 1962, in Washington, D.C., and passed this resolution which reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to

make unlawful membership in the Communist Party of the United States, and that the staff of the Committee be authorized to conduct investigations deemed reasonably necessary in preparation for said hearings.

Now, your residence address, Mr. Snider?

Mr. DOYLE. Before that question is answered, will you excuse me to answer the phone just a minute, please?

(Short recess.)

Mr. WHEELER. We have a question without an answer.

(Record read.)

Mr. SNIDER. I decline to state on the grounds that the pertinency of this, to my appearing here at this hearing, is not evident to me and also on the grounds of the protection afforded to me by the first the fifth amendments of the Constitution of the United States and any other protection that might be pertinent.

Mr. DOYLE. I instruct you to answer the question, Witness. It goes to the question of your identity.

We believe that Congress is entitled to know the accurate and honest identity of every witness that appears before any congressional committee. Therefore, I instruct you to answer the question.

Mr. SNIDER. I am the man that has been subpenaed here, and my answer remains that I do not believe the pertinency of my appearance here before this committee or my rights under the first and the fifth and other amendments of the Constitution would be served by my answering the question.

Mr. WHEELER. You are the same Irving Snider who is a member of the Compton Club of the Communist Party?

Mr. SNIDER. I decline on the same grounds as the previous question.

Mr. WHEELER. Mr. Chairman, I have the subpena return which discloses Irving Snider was served at 623 Palmer Avenue, in Compton, Calif.

Is this your address, sir?

Mr. SNIDER. I have already declined to answer that particular question, sir.

Mr. WHEELER. Will you give us your State of birth, please?

Mr. SNIDER. I don't feel that is pertinent to this hearing or my appearance here, and I decline on the same grounds.

Mr. JOHANSEN. It is pertinent to establish your identity and you would be among the first to protest if this committee were guilty of an error of identity in a witness called before it.

Mr. WHEELER. We would never hear the end of it.

Mr. JOHANSEN. Of course, we wouldn't.

Mr. SNIDER. I feel that inasmuch as my identity has already been established and this information would not further establish my identity, I decline to answer on the same grounds.

Mr. DOYLE. Do you believe if you honestly answered that question that you would be subjecting yourself to possible criminal prosecution?

Mr. SNIDER. I have already answered on the same grounds, sir.

Mr. DOYLE. All right. Let the record show what the witness' answer was.

Mr. WHEELER. Does the date of February 19, 1922, recall any particular event in your life?

Mr. SNIDER. My memory doesn't go back that far.

Mr. WHEELER. How about February 19, 1962? Would that recall any particular event in your life?

Mr. SNIDER. Decline to answer.

Mr. WHEELER. Is that your birthday?

Mr. SNIDER. I have answered previously, sir, I think, covering that particular question.

Mr. JOHANSEN. You mean you decline to answer?

Mr. SNIDER. That is right.

Mr. WHEELER. Were you born in Chicago, Illinois?

Mr. SNIDER. Answer on the same grounds—decline to answer on the same grounds, rather.

Mr. WHEELER. What is your educational background?

Mr. SNIDER. Decline on the same grounds.

Mr. WHEELER. Well, would this be correct: In 1934–1939, you attended John Marshall High School in Chicago; 1941 to 1949, Illinois Institute of Technology in Chicago, majored in electrical engineering; 1949–1951, University of California at Berkeley, where, again, you took work in electrical engineering.

Mr. SNIDER. I decline to answer on the same grounds, sir.

Mr. WHEELER. Well, you are an electrical engineer; is that right?

Mr. SNIDER. I don't see that that is pertinent, and I decline to answer on the same grounds.

Mr. WHEELER. It is still a matter of identification.

Does the Compton Section of the Communist Party mean anything to you?

Mr. SNIDER. I decline to answer on the grounds previously stated.

Mr. WHEELER. Have you held any official position in the Compton Section of the Communist Party?

Mr. SNIDER. I decline to answer on the aforementioned grounds, sir, previously stated grounds.

Mr. WHEELER. Within the recent past, haven't you been section representative to the District Council of the Communist Party representing the Compton Section?

Mr. SNIDER. I decline to answer on the previously stated grounds.

Mr. WHEELER. Then, you are at the present time a member of the Compton Club of the Communist Party; is that correct?

Mr. SNIDER. I decline to answer on the previously stated grounds.

Mr. WHEELER. I have no further questions.

Mr. DOYLE. Does the committee have any questions?

Mr. JOHANSEN. No questions.

Mr. TUCK. No questions.

Mr. DOYLE. I have no questions.

The witness is excused.

(Witness excused.)

Mr. DOYLE. Mr. Mandel, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MANDEL. I do.

Mr. DOYLE. Have the witness chair, please.

TESTIMONY OF PIERRE MANDEL, ACCOMPANIED BY COUNSEL, ROBERT L. BROCK

Mr. BROCK. I will state to the committee, and as far as my clients are concerned, we will assume it has been read to them.

Mr. WHEELER. You should identify yourself for the record.

Mr. BROCK. Robert L. Brock for Pierre Mandel.

Mr. WHEELER. Will the witness state his name, please?

Mr. MANDEL. Pierre Mandel.

Mr. WHEELER. Is that your true name, the name you were born with?

Mr. MANDEL. I decline to answer under the protection of the first and fifth amendments.

Mr. DOYLE. I instruct you to answer, Witness. Clearly, Congress is entitled to know the identity, honestly and fully, of any witness appearing before any of its congressional committees. Therefore, I instruct you to answer whether or not that is your true name.

Mr. MANDEL. I decline to answer for three reasons: First, I don't see the pertinency of the question; second, because of the first amendment; and thirdly, because of the fifth amendment.

Mr. DOYLE. Now, at this point, you heard your counsel a minute ago stipulate with us that as far as you, as one of his clients, were concerned it might be stipulated that this resolution showing pertinency had been read.

Mr. BROCK. Mr. Doyle, I didn't stipulate that it shows the pertinency, but I stipulated that it had been read.

Mr. DOYLE. Therefore, I want the witness to make clear that that stipulation——

Mr. MANDEL. I would prefer to hear the resolution of pertinency.

Mr. BROCK. I tried to save time. I am sorry.

Mr. JOHANSEN. I know. We appreciate it.

Mr. WHEELER. On January 17, 1962, at a meeting of the House Committee on Un-American Activities in Washington, D.C., the following resolution was adopted:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States, and that the staff of the Committee be authorized to conduct investigations deemed reasonably necessary in preparation for said hearings.

Mr. DOYLE. Now that the resolution has been read, may I have your answer to the question; now that this has been read in your presence?

Mr. MANDEL. I don't accept the pertinency as presented and, because of that, I, for the same three reasons, I decline to answer.

Mr. DOYLE. All right. Proceed.

Mr. JOHANSEN. Now, when you say "for the same three reasons," are you saying that you invoke your rights under the fifth amendment?

Mr. MANDEL. The three reasons are pertinency, first amendment, and fifth amendment.

Mr. JOHANSEN. Well, will you answer my question as to whether you are declining to answer on the basis of your rights under the fifth amendment?

Mr. MANDEL. As I said, my answer is for three reasons: pertinency, first amendment, and fifth amendment.

Mr. JOHANSEN. Well, I hold, Mr. Chairman, that is not a proper invocation of the fifth amendment.

I am asking you to invoke the fifth amendment in a manner that protects your rights. Now, why do you want to quibble with me about it?

Mr. TUCK. Unless he does, I suggest that he be ordered and directed to answer the question which is one, plainly, of identity. He could not possibly involve himself in any kind of criminal prosecution or serve any disadvantage to himself in any way.

Mr. DOYLE. Again, Witness, I instruct you to answer the question.

Mr. MANDEL. On the same grounds, I decline to answer for three reasons.

Mr. DOYLE. Will you state the three grounds?

Mr. MANDEL. Pertinency, the protection of the first amendment to believe the things, to associate freely; and the fifth amendment, for my own protection.

Mr. JOHANSEN. It was hard to get it out of him, but we found it.

Mr. WHEELER. Were you born Peretz, P-e-r-e-t-z Mandelman, M-a-n-d-e-l-m-a-n, June 20, 1919, Kiev, Russia?

Mr. MANDEL. I decline to answer on the same grounds.

Mr. DOYLE. I instruct the witness to answer that question.

We believe it is the law that congressional committees are entitled to know the identity, fully and positively, of any witness before this committee or any other House committee. I instruct you to answer the question as to where you were born. It clearly couldn't subject you to criminal prosecution, the fact that you were born.

Mr. WHEELER. In this case, it might.

Mr. BROCK. It certainly might.

Mr. JOHANSEN. It certainly might in this case, Mr. Chairman.

Mr. DOYLE. Well, let the record speak for whatever it is.

Mr. MANDEL. I decline to answer because of the pertinency of the question, the first amendment, and the fifth amendment.

Mr. WHEELER. Are you also known as Peter Mandelman, Frenchy Mandelman, and Peter Mander, M-a-n-d-e-r?

Mr. MANDEL. I decline to answer on the same grounds.

Mr. BROCK. We will stipulate he was born, Congressman.

Mr. DOYLE. I am glad to get that stipulation by the witness.

Mr. WHEELER. Now, you attended school in Warsaw, Poland; is that correct?

Mr. MANDEL. I decline to answer on the same grounds.

Mr. WHEELER. In 1937 you entered France illegally, were arrested by the French police, and served time in prison; is that not so?

Mr. MANDEL. I decline to answer on the same grounds.

Mr. WHEELER. Were you not put in a concentration camp by the Germans during World War II?

Mr. MANDEL. Decline to answer on the same grounds.

Mr. WHEELER. You were in the French resistance movement, is that correct, during the war?

Mr. MANDEL. Decline to answer on the same grounds.

Mr. WHEELER. From 1945 to 1948 you were a member of the Communist Party in France, is that correct?

Mr. MANDEL. Decline to answer on the same grounds.

Mr. WHEELER. On February 7, 1948, you entered New York City on the SS *America*, is that correct?

Mr. MANDEL. Decline to answer on the same grounds.

Mr. WHEELER. From 1948 to 1955 you resided in Chicago, Illinois?

Mr. MANDEL. Decline to answer on the same grounds.

Mr. WHEELER. You have never filed for citizenship, have you?

Mr. MANDEL. Decline to answer on the same grounds.

Mr. DOYLE. How many years has he been in this country without filing for citizenship?

Mr. WHEELER. I have the date here. He entered February 7, 1948, and went immediately to Chicago.

Is it correct you never filed for citizenship?

Mr. MANDEL. I decline to answer on the same grounds.

Mr. DOYLE. I instruct you to answer, Witness, that question whether or not you have ever applied for American citizenship.

Mr. MANDEL. I decline to answer under the same grounds.

Mr. WHEELER. Now, in Chicago, from 1948 to 1955, our records show that you were quite active in the Labor Youth League, the Committee for Protection of Foreign Born, Jewish Peoples Fraternal Order, International Workers Order.

Mr. MANDEL. Decline to answer on the same grounds.

Mr. WHEELER. Also, that during this period of time you were a member of the Communist Party in Chicago; is that correct?

Mr. MANDEL. I decline to answer under the same grounds.

Mr. WHEELER. Now, you moved to Los Angeles in 1955; right?

Mr. MANDEL. Decline to answer on the same grounds.

Mr. WHEELER. And your Communist Party membership was transferred from Chicago, Illinois, to Los Angeles, California?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. TUCK. Mr. Chairman, I don't know because I have only a superficial knowledge of the constitutional law. It occurs to me that if this man is not a citizen he is not entitled to invoke any of the constitutional grounds upon which he may refuse to answer. I simply raise that question. The question of citizenship is before this committee. He may automatically try to benefit from our constitutional protection available to American citizens.

Mr. DOYLE. Well, I would expect, as an American citizen, that any man who had been born in a country other than the United States, if he had been in my United States for 14 years and had been declared an American citizen, he would be proud enough of it to say so. That is my impression. That is my very definite position.

Mr. TUCK. I suggest you ask whether or not he is an American citizen.

Mr. DOYLE. And if he is ashamed of it, that's another thing, or if he is afraid of something in connection with his American citizenship, that's another thing.

But the committee feels, Mr. Wheeler, that the Immigration and Naturalization Service officers should be clearly advised about this man's declaration as to American citizenship, and I think there ought to be an exhaustive examination as to circumstances surrounding this man who refuses to claim American citizenship.

Mr. WHEELER. Are you an American citizen?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. DOYLE. I instruct you to answer that question.

Mr. MANDEL. I decline to answer on the same grounds.

Mr. TUCK. You mean to state to this committee that if you stated whether or not you are an American citizen that you might subject yourself to criminal prosecution?

Mr. DOYLE. What is your answer, Witness?

Mr. MANDEL. I decline to answer under the same grounds.

Mr. DOYLE. All right. I instruct you to answer the question asked by Mr. Tuck.

Mr. MANDEL. I decline to answer under the same grounds.

Mr. DOYLE. All right. Proceed, Mr. Wheeler.

Mr. WHEELER. In 1958 you were a member of the District Council of the Communist Party, Southern California District; is that correct?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Now, on November 20, 21, and 22, 1959, the Southern California District of the Communist Party held a first session of their Second Convention. Were you not a delegate at that convention?

Mr. MANDEL. I decline to answer under the same grounds.

Mr. WHEELER. Well, didn't you speak at this convention of the Communist Party as a delegate?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Do you recall saying that the party is starting to regroup itself with a new spirit and the members should look forward toward the future in planning a party of the working class. Did you not also recommend that the delegates to the National Convention be instructed to support all resolutions which had come before the District Convention and were acted upon, and also the ones which had come before the convention but time would not permit action on?

Do you recall making such statements at the convention?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Now, the second session of the convention was held January 29, 30, 31, 1960, here in Los Angeles, at Park Manor. You were in attendance at the second session; were you not?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Well, do you recall addressing the delegates at this convention from the floor?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Do you recall stating that there recently had been passed a resolution calling for the removal of Chief Parker from office and that a petition had been printed and that the Communist Party should support the petition calling for the removal of Chief Parker from office?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. It refers to William B. Parker, chief of police of Los Angeles.

You were present at these convention sessions; were you not?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. On February 1, 1958, our records show you attended the West Coast Labor Conference of the Communist Party held at 3138 Grove Street, Berkeley, California. Now, at this conference there was drafted a program for furthering Communist Party objectives in the labor movement, including the continued infiltration of labor organizations. Did you attend such meeting?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. We would be interested in hearing about this draft on labor, Mr. Mandelman, if you want to assist this committee.

Mr. DOYLE. How can you infer that this witness might want to help this committee when he doesn't even claim, publicly, American citizenship?

Mr. WHEELER. I had hoped there might be a change of mind.

In February 1959 were you in attendance at a number of meetings, Communist Party meetings in Berkeley, California?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. You are known to the Communist Party in Berkeley as Frenchy Mandelman; is that correct?

Mr. MANDEL. Decline to answer on the same grounds.

Mr. TUCK. Known as what?

Mr. WHEELER. Frenchy Mandelman. He spent considerable time in France.

Have you participated in any public demonstration in the city of Los Angeles?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Weren't you in a demonstration of Women Strike for Peace on November 1, 1961?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Were you instructed by the Communist Party to participate in this demonstration?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Mr. Mandel, on April 17, 1961, you were a picket in a demonstration sponsored by the Fair Play for Cuba Committee, here in front of the Federal Building. Is that correct?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Were these instructions given by the Communist Party to participate in this picket line?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Mr. Chairman, I have a photograph of Mr. Mandel in this picket line and Mr. Tavenner has it in another file. We would like to introduce the photograph when Mr. Tavenner gets here. I am sure you will remember the witness and we can properly identify the picture at that time, or we can hold him over if you want to until Mr. Tavenner arrives.

Mr. BROCK. I would like to know what time he is expected to arrive.

Mr. DOYLE. He is due at 10 a.m.

Mr. JOHANSEN. I would like to suggest that the witness be held over in order that he may be shown this picture.

Mr. WHEELER. All right. We will do that.

Mr. JOHANSEN. I think it is extremely important in this case.

Mr. WHEELER. Now, Mr. Mandel, you are not even a citizen. You are not registered to vote in the County of Los Angeles.

Why are you engaging in political activities within a major political party?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. TUCK. What major political party?

Mr. DOYLE. Communist Party is not major.

Mr. WHEELER. I am talking about—the following questions will tie it up.

Mr. DOYLE. All right.

Mr. WHEELER. Aren't you a member of the C.D.C., California Democratic Council?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. Were you not a delegate to their convention in Fresno in this year?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. And aren't you active in the east side in supporting various candidates running for political office?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. WHEELER. You may want to explore this a little, Mr. Doyle. He is quite active in politics.

Mr. JOHANSEN. Mr. Chairman, may the record show that Mr. Scherer entered the hearing room.

Mr. DOYLE. It may show that.

Are you a member of some Democratic club here in California?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. DOYLE. Are you an officer of any Democratic club in California?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. DOYLE. Were you elected as a delegate from some Democratic club in California to the C.D.C. convention either this year or last year?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. DOYLE. Were you on any of the study groups or groups studying issues at the C.D.C. convention either this year or last year?

Mr. MANDEL. Decline to answer under the same grounds.

Mr. DOYLE. I am informed by Mr. Wheeler that the record shows that you are not an American citizen, that you are not even registered to vote in Los Angeles County.

Mr. JOHANSEN. Are those two statements correct?

Mr. MANDEL. I decline to answer under the same grounds.

Mr. DOYLE. I want to say to you, as an American citizen, I am going to see that the C.D.C. knows that you are not an American citizen.

I very much resent a person not an American citizen participating in a convention of either of the major political parties in the State of California, Republican or Democratic. If you aren't proud enough to become an American citizen, why, in my book you are not entitled to legally claim the right to participate in a convention of either of the two major political parties in my State. I don't want any question as to my position as United States Congressman from the State of California. I don't want it to be misunderstood by you.

Mr. JOHANSEN. Mr. Chairman, I think the matter goes even further, and I strongly suggest that the chairman request or instruct the staff to direct this case to the attention of the Immigration and Naturalization Service of the Department of Justice in view of the evidence concerning his Communist Party activities before he came into the United States and subsequent party membership and activities.

Mr. DOYLE. I am glad to do that, Mr. Johansen. I indicated a few minutes ago that is the way I felt about it, and I direct the staff to do just that. I think it might be well for this subcommittee to formally adopt that.

Mr. SCHERER. I so move.

Mr. JOHANSEN. I support the motion.

Mr. TUCK. I so move.

Mr. DOYLE. All those in favor say "Aye."

Mr. TUCK. Aye.

Mr. JOHANSEN. Aye.

Mr. DOYLE. Oppose?

Therefore it will be the unanimous instruction of this committee.

Mr. SCHERER. Aye.

Mr. DOYLE. And in that connection, Mr. Wheeler, I instruct that a copy of the testimony of this witness at this hearing be furnished to Immigration authorities in the Department of Justice or

any other official body of the U.S. Government or the Government of the State of California, and also, if there is no objection, I would like to see a copy of that furnished to the Democratic Party in the State of California, to the C.D.C., and to the Democratic club that we have a record of this man's claimed membership in——

Mr. TUCK. I think it had better be left up to the Immigration Service.

Mr. DOYLE. All right.

Mr. TUCK. We are not concerned with politicking.

Mr. DOYLE. Yes, but it is either majority—either party.

Mr. TUCK. I think the Immigration authorities——

Mr. DOYLE. All right. And the other testimony will not be released to the other groups unless the testimony is published by the committee.

Mr. TUCK. Are you through with this witness?

Mr. DOYLE. Is there any other question?

Mr. WHEELER. You are going to hold the witness until Mr. Tavenner arrives?

Mr. DOYLE. That is right.

Mr. BROCK. All right.

Mr. JOHANSEN. The witness is continued under this subpena?

Mr. DOYLE. Yes.

Mr. BROCK. He won't leave.

(Witness temporarily excused.) [1]

Mr. DOYLE. Do you solemnly swear that the testimony you will give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FREED. I do.

Mr. DOYLE. Thank you. Take the witness chair.

Mr. BROCK. This is Mr. Harry Freed. I am Robert L. Brock.

I did explain the pertinency of what they read to the other witnesses. Are you satisfied with that?

Mr. FREED. Yes. Yes.

TESTIMONY OF HARRY FREED, ACCOMPANIED BY COUNSEL, ROBERT L. BROCK

Mr. WHEELER. Mr. Freed, will you state your full name, please?

Mr. FREED. My name is Harry Freed.

Mr. WHEELER. And when and where were you born?

Mr. FREED. I don't think that is pertinent to the question.

Mr. JOHANSEN. Mr. Freed, would you speak a little louder?

Mr. BROCK. Speak right up.

Mr. FREED. I said I don't think it is pertinent to this question, and I refuse to answer that on the question—on the grounds it is not pertinent and under my rights given by the Constitution of the United States, including the first and fifth amendments thereto.

Mr. DOYLE. Mr. Freed, I realize you are reading from a memorandum as you gave that answer, which is all right, but I want to inform you that we believe the law clearly is that any witness appearing before this committee, or any other congressional committee, that those committees are entitled to know the identity of the witness. This is a question of identity. It goes to that question. That is why

[1] The hearings were terminated without recalling the witness.

we are asking it. We believe we are entitled to know whether or not you are who you say you are and whether or not you are the person we think you are.

Mr. FREED. Well, I received the subpena.

Mr. WHEELER. The subpena bears the name Harry Freed. You responded to it.

Mr. FREED. [No response.]

Mr. DOYLE. When was it served and where?

Mr. WHEELER. 7 a.m. on the 12th day of April, at 5936 Allston Street, East Los Angeles.

Is this your residence?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. WHEELER. What type of business are you in, Mr. Freed?

Mr. FREED. I decline to answer that on the previous grounds that I mentioned?

Mr. WHEELER. You own Freed's Launderette at 5851 Whittier Boulevard, Los Angeles?

Mr. FREED. I decline to answer that under the previous grounds I mentioned.

Mr. WHEELER. Mr. Chairman, we do have a problem of identification in this particular case. Harry Freed is a rather common name; and, if possible, I would like to get further identification of the subject—his birth and identification questions.

Mr. SCHERER. Let's proceed, then; I think we should.

Mr. JOHANSEN. Well, I have observed the previous witness to Mr. Freed. That person, such as you, would be the first to violently protest if, through careless and lax procedures by this committee, we were guilty of a case of mistaken identity. Now, it goes to no matter of substance, it is not any basis of self-incrimination to establish that you are the person that's been subpenaed before this committee and that you are the person that's supposed to be questioned in respect to the matters subsequently to be brought up.

So I ask, Mr. Chairman, that the witness be instructed to answer the questions as a matter of proper identification.

Mr. SCHERER. Do you think we should pursue the matter on each question, and——

Mr. WHEELER. Well, the problem is that we have a Harry Freed with quite a bit of Communist Party background starting back a number of years, and it would be clarified if the witness would respond to some of the questions, whether it is the same Harry Freed or not.

Mr. DOYLE. We will hesitate a minute while counsel is conferring with his witness.

Mr. Wheeler, now that counsel and witness are through conferring, so that they can hear your statement just made to the committee, will you repeat that statement for their benefit?

Mr. BROCK. We heard it.

Mr. DOYLE. Did you?

Mr. SCHERER. May I ask the witness a couple of questions?

Mr. DOYLE. Yes, indeed.

Mr. SCHERER. Witness, where do you live?

Mr. FREED. I decline to answer that on the previous grounds that I mentioned.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question.

Mr. DOYLE. I direct the witness to answer that question.

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. SCHERER. Do you honestly believe that if you were to answer the question just propounded to you—namely, where you live—that that might lead to a criminal prosecution?

Mr. FREED. I decline to answer that on the previous grounds that I mentioned.

Mr. SCHERER. It is obvious that you can't use the fifth amendment in answering my question, because the courts have said whenever the committee is in doubt as to whether a witness is properly invoking the fifth amendment, it is then incumbent upon the committee to ask the witness whether he honestly believes that invoking the fifth amendment to a particular question might lead to a possible criminal prosecution, and you must answer. If you are invoking the fifth amendment in good faith you can only answer "Yes" to that question.

Mr. DOYLE. Well, the witness has answered it.

Mr. TUCK. And the answer he just made is under the protection of the fifth amendment.

Mr. DOYLE. Go ahead, Mr. Scherer.

Mr. SCHERER. Now, Witness, when and where were you born?

Mr. FREED. I was born August the 28th, 1901.

Mr. SCHERER. And where were you born?

Mr. FREED. At that time I think it was the Ukraine. Russia.

Mr. SCHERER. Are you a naturalized citizen?

Mr. FREED. Yes, sir.

Mr. SCHERER. And when and where were you naturalized?

Mr. FREED. I decline to answer that on the previous grounds that I mentioned.

Mr. SCHERER. Were you naturalized?

Mr. FREED. I decline to answer that on the previous grounds that I mentioned.

Mr. DOYLE. I instruct you to answer the question, Witness.

Mr. FREED. I decline to answer that on the previous grounds that I mentioned.

Mr. SCHERER. Are you in this country legally?

Mr. FREED. I decline to answer that on the previous grounds that I mentioned.

Mr. DOYLE. I instruct you to answer the question, Witness.

Mr. FREED. I decline to answer that on the previous grounds that I mentioned.

Mr. SCHERER. How long have you been in the United States?

Mr. FREED. Decline to answer that on the previous grounds.

Mr. DOYLE. I instruct you to answer that question.

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. SCHERER. How long have you been in the State of California?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. DOYLE. I instruct you to answer the question, Witness.

Mr. FREED. I decline to answer that on the previous grounds that I mentioned.

Mr. SCHERER. What is your present occupation or business? And I am asking that question solely for the purpose of identification in view of the statement made by our investigator, Mr. Wheeler.

Mr. FREED. Decline to answer that on the previous grounds that I mentioned.

Mr. SCHERER. I ask that you direct the witness to answer.

Mr. DOYLE. I direct the witness to answer that question.

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. SCHERER. Witness, do you honestly believe that to tell this committee what your present occupation is, that that might lead to a criminal prosecution?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. SCHERER. I ask you to direct the witness to answer.

Mr. DOYLE. I direct you to answer.

Mr. SCHERER. Because obviously the invocation of the fifth amendment to that question is improper and the courts have so stated.

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. JOHANSEN. Mr. Chairman, may the record show that Mr. Tavenner is present?

Mr. DOYLE. It may so show.

Mr. SCHERER. Are you engaged in any illegal activity at this time?

Mr. BROCK. [Laughter]

Mr. SCHERER. Well, that is not funny, Counsel.

Mr. BROCK. It is, Mr. Scherer.

Mr. FREED. I decline to answer under the previous grounds that I mentioned.

Mr. SCHERER. If you think it is funny, just don't laugh, then, because I think that you should have advised your client to answer "Yes" to the question of whether he was invoking the fifth amendment in good faith.

Mr. DOYLE. The record speaks as to what happened.

Any other questions, Mr. Wheeler?

Mr. WHEELER. Yes.

Have you traveled outside of the United States?

Mr. FREED. I decline to answer under the previous grounds that I mentioned.

Mr. WHEELER. I believe he was asked how long he had been in California and he declined?

Mr. DOYLE. Yes.

Mr. WHEELER. Did you ever live in Chicago?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. DOYLE. I instruct you to answer the question, Witness. Mr. Wheeler's information is that there is a problem of identity that we are trying to clear up for the record. It may be that some other person by the name "Harry Freed" is entitled to be cleared, or it may be that some of the record that we have pertains to you. So we want to have it entirely clear. But, if you don't care to help us, why, we will just have to use the record that we have, in spite of your refusal to help us, to determine whether or not you are the person we think you are. If you are not that person we want to know it. For your protection, too. But if you don't care, why—

Go ahead.

Mr. WHEELER. Mr. Freed, are you a member of the Compton Section of the Communist Party, Southern California District?

Mr. FREED. I refuse to answer on the previous grounds that I mentioned.

Mr. WHEELER. The Communist Party, Southern California District, held a convention here in Los Angeles in two sessions. The second session opened on January 29, 1960. Our records show that you attended this convention as a delegate representing the Whittier Section of the Communist Party; is that correct?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. WHEELER. You are a member of the Whittier Club of the Communist Party; is that correct?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. WHEELER. You know Marlene Kagan?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. WHEELER. Are you a current member of the Communist Party?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

* * * * * * *

Mr. SCHERER. Were you ever a member of the Armed Forces of the United States?

Mr. FREED. I decline to answer under the previous grounds that I mentioned.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer that question because I can't see how being a member of the Armed Forces of the United States can possibly incriminate him.

Mr. DOYLE. I instruct you to answer as to whether or not you were ever a member of the Armed Forces of the United States.

Mr. FREED. I decline to answer under the previous grounds that I mentioned.

Mr. SCHERER. I have no further questions.

Mr. DOYLE. Any questions, Governor?

Mr. TUCK. I have no questions.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. Mr. Witness, Congressman Scherer asked you a few minutes ago if you were presently engaged in any illegal activities. Are you aware of the decision of the Supreme Court last year requiring registration by members of the Communist Party with the Attorney General?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. SCHERER. I ask you direct the witness to answer.

Mr. DOYLE. I direct you to answer that question.

Mr. SCHERER. It couldn't be incriminating if he was aware of a provision.

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. JOHANSEN. Are you a member of the Communist Party?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. JOHANSEN. Have you registered with the Attorney General as a member of the Communist Party as required by law, which law was upheld by the Supreme Court last year?

Mr. FREED. I decline to answer on the previous grounds that I mentioned.

Mr. JOHANSEN. I have no further questions.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. No.

Mr. DOYLE. I have no further questions.

The witness is excused.

(Witness excused.)

Mr. BROCK. I should apologize. I didn't mean to be rude when I laughed. It did strike me funny. If you asked the witness if he was doing something illegal, that he should answer.

Mr. DOYLE. Of course, we contend that all people who are identified Communists and who have failed to register are doing something illegal.

Mr. SCHERER. That wasn't the reason he was asked that question.

Mr. DOYLE. That wasn't the purpose?

Mr. SCHERER. He was asked about his employment and he said he wouldn't answer it on the grounds it might incriminate him which answer, on its face, indicates that he was engaged in some illegal activity.

Mr. DOYLE. That is right.

Mr. TUCK (presiding). Mrs. Kagan, will you stand and raise your right hand and be sworn.

Do you solemnly swear that the testimony you are about to give before this subcommittee of a committee of the House of Representatives of the United States will be the truth and nothing but the truth, so help you God?

Mrs. KAGAN. I do.

TESTIMONY OF MARLENE KAGAN, ACCOMPANIED BY COUNSEL, HARRIETT BUHAI

Mr. WHEELER. Witness, state your name.

Mrs. KAGAN. Marlene Kagan, and I am here under subpena.

Mr. WHEELER. Is it Miss or Mrs.?

Mrs. KAGAN. Mrs.

Mr. WHEELER. Would the attorney identify herself, please?

Mrs. BUHAI. Harriett Buhai, B-u-h-a-i.

Mr. WHEELER. Tell the committee the date of your birth, please.

Mrs. KAGAN. I must respectfully refuse to answer that question because I believe this committee is prohibited by the first amendment from inquiring into such matters because the answer might tend to incriminate me.

Mr. SCHERER. I ask the Chair to direct the witness to answer the question. The question is being asked for the purpose of identification, and it couldn't possibly incriminate her.

Mr. TUCK. The witness is ordered and directed to answer the question.

Mrs. KAGAN. I must stand on the first and fifth amendments.

Mr. SCHERER. Do you honestly believe that to tell this committee when and where you were born would lead to a possible criminal prosecution?

Mrs. KAGAN. It might tend to incriminate me.

Mr. WHEELER. Tell the committee your maiden name, please.

Mrs. KAGAN. I must decline to answer that question on the previous grounds.

Mr. SCHERER. For the same reason, Mr. Chairman, I ask you to direct the witness to answer the question. The question being asked obviously is for the purpose of identification.

Mr. TUCK. The witness is ordered and directed to answer the question.

Mrs. KAGAN. I wish to consult with counsel.

Same answer, same reasons.

Mr. WHEELER. Is your maiden name Sniderman?

Mrs. KAGAN. I refuse to answer that question on previous grounds.

Mr. WHEELER. Where do you reside, Mrs. Kagan?

Mrs. KAGAN. Same answer, my previously stated grounds.

Mr. TUCK. The witness is ordered and directed to answer the question.

Mrs. KAGAN. I am here before this committee under subpena and the subpena states where I was served.

Mr. JOHANSEN. Was that your residence where you were served?

Mrs. KAGAN. I must decline to answer that question on the same grounds.

Mr. WHEELER. Mr. Chairman, I have a subpena return indicating service was made April 12, 1961, at 7:00 a.m. in the morning, Marlene Kagan, at 9446 Brookpark Road, Downey, California.

Is that your residence?

Mrs. KAGAN. Same answer, same grounds.

Mr. WHEELER. How long have you lived in the Downey section?

Mrs. KAGAN. I must refuse to answer that question on the same grounds previously stated.

Mr. JOHANSEN. Mr. Chairman, I don't want to quibble over words, but when the witness says she must decline to answer on the same grounds—You don't, of course, mean to imply that there is any compulsion that you decline to answer? In other words, you simply do decline to answer on the same grounds. Is that correct?

Mrs. KAGAN. That is correct.

Mr. WHEELER. Have you lived in Downey about 3 years?

Mrs. KAGAN. I must respectfully decline to answer that question on the same grounds previously stated.

Mr. WHEELER. In early 1959 our records show that you were a member of the Western Section of the Communist Party, Southern California District; the Western Section being the Bay cities, Santa Monica, everything out west, all the cities out there, and that you were the Western Section representative to the District Council of the Communist Party, Southern California District; is that right?

Mrs. KAGAN. I decline to answer on grounds previously stated.

Mr. WHEELER. You became a member of the Communist Party in 1955?

Mrs. KAGAN. I decline to answer on the grounds previously stated.

Mr. WHEELER. And you are now a member of the Compton Section of the Communist Party?

Mrs. KAGAN. I must respectfully decline to answer on the same grounds.

Mr. WHEELER. Aren't you a current member of the Whittier Club of the Communist Party?

Mrs. KAGAN. I respectfully decline to answer on the grounds previously stated.

Mr. WHEELER. I have no further questions.

Mr. TUCK. Do you have any?

Mr. SCHERER. No questions.

Mr. JOHANSEN. No questions.

Mr. TUCK. The witness is excused.

(Witness excused.)

Mr. TUCK. Mr. Jacob Lutz. Please raise your right hand to be sworn.

Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LUTZ. Yes, sir.

Mr. TUCK. You may be seated.

TESTIMONY OF JACOB LUTZ, ACCOMPANIED BY COUNSEL, HARRIETT BUHAI

Mr. WHEELER. Will the witness state his name, please?

Mr. LUTZ. Jacob Lutz.

Mr. WHEELER. Do you reside at 2162 Princeton Avenue, Los Angeles?

Mr. LUTZ. I would like to know the pertinency of this investigation.

Mr. WHEELER. Read the resolution?

Mr. TUCK. You may read the resolution.

Mr. WHEELER. On January 17, 1962, the House Committee on Un-American Activities in Washington, D.C., adopted the resolution which reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States, and that the staff of the Committee be authorized to conduct investigations deemed reasonably necessary in preparation for said hearings.

Now, the question, I believe—Would you repeat the question?

(Record read.)

Mr. LUTZ. I have given my name and I was subpenaed, and I am here and I think this is proper identification.

Mr. SCHERER. Mr. Chairman, I ask you direct the witness to answer the question being asked for the purpose of identification.

Mr. TUCK. The witness is ordered and directed to answer the question.

Mr. LUTZ. I do not want to answer this question because I do not think it is pertinent to the investigation at hand.

Mr. TUCK. The committee is the judge of the pertinency. You are, therefore, ordered and directed to answer the question.

Mr. LUTZ. I will not answer this question because I think it is my right under the fifth amendment to protect myself from possible incrimination.

Mr. JOHANSEN. Are you invoking that provision of the fifth amendment?

Mr. LUTZ. Yes, I am.

Mr. WHEELER. Well, you are here in response to the subpena served upon you; is that correct?

Mr. LUTZ. Yes.

Mr. WHEELER. The record shows, or the subpena return shows that at 8:25 a.m. on the 12th day of April, Mr. Lutz was served with a subpena at 2162 Princeton Avenue, Los Angeles.

You are retired; is that correct? You are not employed?

Mr. LUTZ. I refuse to answer on grounds that this is an invasion of my rights under the first and fifth amendments.

Mr. WHEELER. Would retirement be———

Mr. JOHANSEN. That is a new one on me.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question as to whether he is retired.

Mr. TUCK. The witness is ordered and directed to answer the question.

Mr. LUTZ. I decline to answer on the grounds that I am protected under the first and fifth amendments from answering this question.

Mr. WHEELER. Are you a citizen of the United States?

Mr. LUTZ. I decline to answer on the grounds that—I take protection under the fifth amendment.

Mr. SCHERER. Mr. Chairman, to answer whether he is a citizen of the United States cannot possibly incriminate this witness. It is obvious he is invoking the fifth amendment in bad faith; therefore, I ask that you direct the witness to answer the question.

Mr. TUCK. The Chair so orders and so rules. The Chair, therefore, orders and directs you to answer the question as to whether or not you are an American citizen.

Mr. LUTZ. I decline on the same grounds as stated before.

Mr. WHEELER. You were born in Russia; were you not?

Mr. LUTZ. I decline on the same grounds.

Mr. WHEELER. Are you a naturalized citizen?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. Are you a member of the Echo Park Section of the Communist Party, Southern District of California?

Mr. LUTZ. Decline to answer on the same grounds.

Mr. WHEELER. Do you know Dorothy Healey?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. On July 27, 1961, were you not present at a reception honoring Dorothy Healey at Park Manor, 607 Western Avenue, Los Angeles?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. What is May Day to the Communist Party, the 1st of May?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. On May 7, 1961, you were in attendance at a May Day meeting at the Zenda Ballroom, 937 West Seventh Street. This meeting was sponsored by the committee to celebrate 75 years of May Day. Were you there, sir?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. Are you familiar with the organization, Women Strike for Peace?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. On November 1, 1961, according to our information, you participated in a picket line sponsored by Women Strike for Peace. This was in front of the Los Angeles State Building. Were you present?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. Were you instructed by the Communist Party to participate in this peace movement?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. Our records disclose that on February 18, 1962, you were in attendance at a meeting honoring Gus Hall at 607 Western Avenue. Were you present at that meeting?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. Gus Hall is general secretary of the Communist Party, U.S.A.; is he not?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. Now, on January 5 and 6, 1957, the Communist Party, Los Angeles County, held a convention at 607 Western Avenue, Los Angeles. Our information reflects that you were a delegate to this convention. Is this information correct?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. In 1957 you were a member of the Gomez Club of the Communist Party?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. Didn't the Gomez Club sponsor parties and various other functions to raise money to support the *People's World?*

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. Now, the Second Convention of the Communist Party, Southern California District, was held in two sessions. The first session was November 20, 21, and 22, 1959. Our information is to the effect that you were a delegate to this convention. Is that right?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. You were a delegate representing the Echo Park Section of the Communist Party; is that correct?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. Are you now a member of the Communist Party?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. I have no further questions.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mr. LUTZ. I decline to answer on the same grounds.

Mr. WHEELER. I have no further questions.

Mr. TUCK. Do you have any questions?

Mr. SCHERER. I have no questions.

Mr. TUCK. The witness may stand aside.

(Witness excused.)

Mr. DOYLE. Mrs. Willett will you please raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. WILLETT. I do.

TESTIMONY OF BETTY WILLETT, ACCOMPANIED BY COUNSEL, HUGH R. MANES

Mr. TAVENNER. Will you state your full name, please?

Mrs. WILLETT. Betty Willett.

Mr. TAVENNER. Have you ever used the name Naomi, N-a-o-m-i, Willett, W-i-l-l-e-t-t?

Mrs. WILLETT. I decline to state for the following reasons——

Mr. JOHANSEN. Mr. Chairman, just a moment. I wonder, so we won't miss it, if counsel shouldn't identify himself?

Mr. MANES. Oh, yes, certainly. My name is Hugh R. Manes, M-a-n-e-s.

Mrs. WILLETT. May I have a statement of the legislative purpose at this time?

Mr. DOYLE. Not yet.

Mr. TAVENNER. First, we want to find out who you are.

Have you ever been known by the name of Naomi, N-a-o-m-i?

Mrs. WILLETT. In order to answer the question, I would like to have the statement of relevancy.

Mr. TAVENNER. May I ask for a direction of the committee to answer?

Mr. DOYLE. I instruct the witness to answer the question as to her identity.

Mrs. WILLETT. I respectfully decline to answer upon the following grounds: That the mandate of this committee violates the provisions of the Bill of Rights to our Constitution, especially the first amendment, because the mandate is vague and ambiguous and abridges the rights of speech and association.

Mr. DOYLE. As you read the statement, will you put the microphone high enough so we can hear your voice.

Mrs. WILLETT. And secondly, the question is not pertinent or relevant to the mandate of this committee or to the declared purpose of this investigation or any proper or legitimate proper purpose of this committee; and thirdly, the question inquires into my beliefs and associations and abridges——

Mr. TAVENNER. May I interrupt? The question as to her name has nothing in the world to do with her ideas or her beliefs.

Mr. DOYLE. That is correct. And I think it is wasting time.

Mr. JOHANSEN. I think it is a dilatory tactic. It is completely purposeless, and I am sure counsel knows it is.

Mr. DOYLE. Well, Witness——

Mrs. WILLETT. I would——

Mr. DOYLE. I am directing you to answer the question. We are not going to permit you to take more time of the committee to read this long statement.

Mrs. WILLETT. I am giving my objections to the question. I would like——

Mr. DOYLE. What is it?

Mrs. WILLETT. I am giving my objections to the question.

Mr. DOYLE. No, no, you are not reading objections to this question about your name. That long treatise has nothing to do with your name.

Mr. SCHERER. Furthermore, the witness under no circumstances is permitted to object to the questions. She has a right to decline to answer for certain constitutional reasons.

Mr. DOYLE. That is right.

Mrs. WILLETT. I decline to answer on the ground that the question calls for me to condemn and accuse myself——

Mr. DOYLE. No, no.

Mrs. WILLETT. — out of my own mouth—that is, it tends to incriminate me in violation of the provisions of the fifth amendment of the Constitution.

Mr. SCHERER. How could it possibly incriminate you to tell us whether you were ever known by a name other than Betty?

Mr. MANES. May the witness complete her answer for the record, please?

Mrs. WILLETT. Finally, the committee lacks the jurisdiction over me because of the unlawful exercise of the subpena power and the unlawful delegation of its authority and its subpena power.

Mr. DOYLE. Now, is that all of it?

Mrs. WILLETT. Yes.

Mr. DOYLE. Now, I direct you to answer the question asked you before by Mr. Tavenner as to your name.

Mrs. WILLETT. I decline upon the previous grounds.

Mr. TAVENNER. Did you ever go by the married name of Auxter, A-u-x-t-e-r?

Mrs. WILLETT. I decline to answer on the previous grounds.

Mr. TAVENNER. How are you employed, Mrs. Willett?

Mrs. WILLETT. I decline to answer on the previous grounds as already stated upon the provisions of the first amendment and the fifth amendment.

Mr. TAVENNER. Will you state for the committee, please, what your formal educational training has been?

Mrs. WILLETT. I decline to answer on the previous grounds.

Mr. TAVENNER. Are you a native of the State of Indiana?

Mrs. WILLETT. I decline to answer on the previous grounds.

Mr. TAVENNER. Do you now reside in Los Angeles?

Mrs. WILLETT. I decline to answer on the ground previously stated.

Mr. TAVENNER. Do you not appear here pursuant to a subpena served upon you at 1011 Rosemont Avenue, Los Angeles?

Mrs. WILLETT. I am here pursuant to a subpena.

Mr. TAVENNER. Served upon you?

Mrs. WILLETT. Served upon me.

Mr. TAVENNER. Mr. Chairman, without introducing it into evidence, I will read the return on the subpena:

> I made service of the within subpena by personally serving her with original [the within-named Betty Willett] at 1011 Rosemont Ave., Los Angeles.
>
> Peter J. Pitchess.

Mr. DOYLE. What date was that, sir?

Mr. TAVENNER. 7:02 a.m. on the 12th of April.

Mr. DOYLE. Just about breakfast time.

Mr. TAVENNER. You have been a member of the Communist Party, haven't you, Mrs. Willett, for a long period of time, at least back as early as 1939?

Mrs. WILLETT. I decline to answer for all of the reasons heretofore given.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a voter's affidavit of registration and ask that it be marked Willett Exhibit No. 1.

Mr. DOYLE. It will be so received and marked.

Mr. TAVENNER. I will hand this to the witness and ask her whether or not this document, sworn and subscribed to on the 9th day of June, 1938, before the Los Angeles County Deputy Registrar of Voters, bears her signature?

Mr. DOYLE. Let the record show, please, that counsel and witness are examining the exhibit offered regarding her signature.

Mrs. WILLETT. I decline to answer for all the reasons previously given.

Mr. TAVENNER. Mr. Chairman, the document shows that Mrs. Betty Willett registered as Communist on the date mentioned.

Mr. DOYLE. It is received.

(Document marked "Willett Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. I offer an additional affidavit of registration and ask it be marked Willett Exhibit No. 2.

Mr. DOYLE. It will be so marked and received.

Mr. TAVENNER. This document was sworn and subscribed to on the 15th day of July, 1942.

Mrs. Willett, will you examine it and state whether or not the signature of the affiant is yours?

Mr. DOYLE. Let the record show the counsel and witness are examining the document.

Mrs. WILLETT. I decline to state on the previous grounds.

(Document marked "Willett Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. This document, Mr. Chairman, shows that the witness registered as a Communist on the date mentioned.

Were you a member of the Communist Party in 1939 and in 1942?

Mrs. WILLETT. I decline to state on the previous grounds.

Mr. TAVENNER. Are you now a member of the Echo Park Club of the Communist Party?

Mrs. WILLETT. I decline to state on the previous grounds.

Mr. TAVENNER. Mrs. Willett, at the second session of the Second Convention of the Communist Party's Southern California District, the chairman, Dorothy Healey, gave a report to the convention, previously introduced in evidence as Dobbs Exhibit No. 11.

In this report, Dorothy Healey stressed the need to propagate the Soviets' fraudulent "peace" propaganda. She also made it clear that this was to be accomplished by Communists taking an active part in non-Communist organizations and inducing the organizations to take action in support of the Soviet "peace" line. In this connection, she made the following statement:

At the Echo Park Section Convention, Betty, the comrade assigned by the section to be responsible for bird-dogging all peace activities, gave a résumé of the local peace organizations. (It would be a step forward if in each section we had a comrade doing the job that she does—

Were you the Betty mentioned by Dorothy Healey in her report?

Mrs. WILLETT. I decline to answer upon the grounds previously stated.

Mr. TAVENNER. Continuing with the quotation, I read as follows:

knowing the various peace activities going on, helping individual comrades to relate their general mass activity to the specific peace issues, etc.) The Methodists have decided that 1960 will be their all out year on peace. They have issued an appeal that the initiative for the prevention of war must be seized.

Were you engaged, after that convention in 1960, in helping Communists carry on activities within non-Communist organizations?

Mrs. WILLETT. I decline to answer on the grounds previously stated.

Mr. TAVENNER. What particular action have you taken, Mrs. Willett, relating to the peace movement in the United States?

Mrs. WILLETT. I decline to answer on the grounds previously stated.

Mr. TAVENNER. There was a peace organization developed at the home of Mrs. Dagmar Wilson in Georgetown in the District of Columbia. As a result of this meeting at the Wilson residence a peace program was developed which gained considerable momentum known as Women Strike for Peace.

Are you familiar with this movement?

Mrs. WILLETT. I decline to answer on the grounds previously stated.

* * * * * * *

Mr. TAVENNER. I would like to bring to your attention a meeting which was held at 1011 Rosemont Avenue on January 19, 1962. Do you recall that meeting?

Mrs. WILLETT. I decline to answer on the grounds previously stated.

Mr. TAVENNER. You refused to state the address of your residence. Does your refusal to so state result from your knowledge that you would be asked about this meeting?

Mrs. WILLETT. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The residence that I mentioned to you is your home; is it not?

Mrs. WILLETT. I decline to answer on the same grounds.

Mr. TAVENNER. It is the residence at which you were served.

Mrs. WILLETT. I decline to answer.

Mr. DOYLE. I think you said it was about 7 o'clock in the morning, according to the subpena return.

Mr. TAVENNER. Yes.

Mrs. WILLETT. I decline to answer on the grounds previously stated.

* * * * * * *

Mr. TAVENNER. Now, will you tell the committee whether Elizabeth Spector was present?

Mrs. WILLETT. I decline to answer on the same previous grounds.

Mr. TAVENNER. Was Elizabeth Spector known to you as a member of the Communist Party?

Mrs. WILLETT. I decline to answer on the same grounds.

Mr. TAVENNER. The committee's investigation indicates that there was also present at this meeting Millicent Hellman and that she is the wife of John Hellman. Do you recall her presence?

Mrs. WILLETT. I decline to answer on the same grounds.

Mr. TAVENNER. Both John Hellman and his wife, Millicent, are members of the Communist Party; are they not?

Mrs. WILLETT. I decline to answer on the same grounds.

Mr. TAVENNER. Also at that meeting was Jeanne Katz, according to the committee's information. Mrs. Willett, it has been indicated here from the committee's investigation that Mrs. Katz is a member of the Compton Club of the Communist Party. Was she in attendance at this meeting in your home?

Mrs. WILLETT. I decline to answer on the previous grounds.

* * * * * * *

Mr. TAVENNER. Will you advise the committee how the Women Strike for Peace was organized in Los Angeles and by whom?

Mrs. WILLETT. I decline to answer for the previous reasons.

Mr. TAVENNER. About a month before this meeting that I have referred to—in fact, on November 1, 1961, according to the committee's investigation—the first demonstration occurred in Los Angeles by the Women Strike for Peace; is that not correct?

Mrs. WILLETT. I decline to answer for the same reasons.

Mr. TAVENNER. Did you have anything to do with organizing Communist participation in that demonstration?

Mrs. WILLETT. I decline to answer for the previous reasons.

Mr. TAVENNER. Did you assist in obtaining the cooperation of various individuals in that demonstration?

Mrs. WILLETT. I decline to answer for the same reasons.

Mr. TAVENNER. You were acquainted with Rose Chernin Kusnitz; were you not?

Mrs. WILLETT. I decline to answer for the same reasons.

Mr. TAVENNER. She is executive director of the Los Angeles Committee for Protection of Foreign Born; isn't she?

Mrs. WILLETT. I decline to answer for the same reasons.

Mr. TAVENNER. And a well-known Communist in Los Angeles who has been identified as such before this committee on a number of occasions. You knew that, did you not?

Mrs. WILLETT. I decline to answer for the above reasons.

Mr. TAVENNER. Did you have anything to do with obtaining her cooperation in that demonstration?

Mrs. WILLETT. I decline to answer for the same reasons.

Mr. TAVENNER. Pierre Mandel, who has been a witness today before this committee, was also active in that demonstration; was he not?

Mrs. WILLETT. I decline to answer for the same reasons.

Mr. TAVENNER. Rose Rosenberg, an attorney, and a person known to you to be a member of the Communist Party, also took part; did she not?

Mrs. WILLETT. I decline to answer for the same reasons given previously.

Mr. TAVENNER. Jacob Lutz, who was on the witness stand here this afternoon, was a participant; was he not?

Mrs. WILLETT. I decline to answer for the same reasons.

* * * * * * *

Mr. TAVENNER. Leonard Potash was also present; was he not?

Mrs. WILLETT. I decline to answer for the reasons stated.

Mr. TAVENNER. Leonard Potash is active in the youth circles of the Communist Party; is he not?

Mrs. WILLETT. I decline to answer for the same reasons.

Mr. TAVENNER. Helen Blair was present; isn't that right?

Mrs. WILLETT. I decline to answer for the same reasons.

Mr. TAVENNER. Janet Stevenson was likewise engaged in the demonstration——

Mrs. WILLETT. I decline to answer for the same reasons.

Mr. TAVENNER. Because of the announcement by Mrs. Healey congratulating Betty for "bird-dogging" these peace organizations, I think there are a few other questions I would like to ask you about Communist activities in this field.

* * * * * * *

Documents from the Southern California District Convention of November 1959 and January 1960 indicate that the national leadership of the party has given so-called "peace" issues top priority in Communist agitation and propaganda. I would quote a few references made in those documents.

A statement by the party's National Executive Committee circulated at the convention, includes this language:

> Of paramount importance in our work is the elevation of the cause of peace and disarmament to the place of first rank which it deserves.

This document also declares:

> The Communist Party * * * must support and give leadership to these struggles * * *.

Now, weren't you actively engaged in giving leadership to local Communist "peace" struggles?

Mrs. WILLETT. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Then District Chairman Dorothy Healey, in her keynote report to the January 1960 convention, specifically named various "peace" issues which Communists were expected to exploit. Now, you, as a devoted Communist, were doing everything that you could to build up support for Soviet foreign policy through such so-called peace efforts; were you not?

Mrs. WILLETT. I decline to state on the grounds previously stated. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Actually, the Communist Party was not primarily interested in peace; was it?

Mrs. WILLETT. I decline to answer on the grounds previously stated.

Mr. TAVENNER. We have found a very interesting notation in the party convention document which has been introduced as Dobbs Exhibit 5–A. I take these words from that exhibit:

> There was concern on the part of some members of the Committee that the present wording [of the party constitution on a peaceful road to socialism] might possibly infer a strictly pacifistic attitude on the [part of the] Party.

The Communists in this area were not sincerely interested in pacifism, per se, were they?

Mrs. WILLETT. I decline to answer on the previous grounds.

Mr. JOHANSEN. Mr. Chairman, Mr. Khrushchev, I think, made it rather clear you can't be a total pacifist and be a Communist. Isn't that right?

Mr. TAVENNER. That is right.

Mr. JOHANSEN. I would like to ask the witness, Isn't that correct?

Mrs. WILLETT. I decline to answer on the previous grounds.

Mr. TAVENNER. Mrs. Healey's report pointedly called attention to activities on the subject of peace conducted by non-Communist organizations, such as the Methodist Church and the American Friends Service Committee; and she then said to the delegates:

> You might enjoy Betty's report of the church leaders saying that finally the American people are waking up to the need to fight for peace, and therefore the churches won't be so isolated!

Did you make that report?

Mrs. WILLETT. I decline to state for the reasons previously noted.

Mr. TAVENNER. Would you care to further explain that reference?

Mrs. WILLETT. I decline to answer on the previous grounds.

Mr. JOHANSEN. We hear before this committee so much about this committee abridging freedom of speech, and here we are inviting the witness to elaborate on this statement, and free speech is abridged by the witness.

Mr. TAVENNER. Let me ask this question: Did the Communists in your section of the Communist Party—under your guidance—have any success in carrying out Communist Party General Secretary Gus Hall's admonition to bring the Communist "peace" line into "every church"?

Mrs. WILLETT. I decline to state for the reasons previously given.

* * * * * * *

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. Any questions?

Mr. SCHERER. No questions.

Mr. DOYLE. Questions?

Mr. JOHANSEN. No questions.

Mr. DOYLE. I have no questions.

That is all, Counsel.

Mr. MANES. Thank you.

Mr. DOYLE. The witness is excused.

(Witness excused.)

Mr. TUCK (presiding). Mrs. Spindel, do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SPINDEL. I do.

Mr. TUCK. The witness may be seated.

Mr. BROCK. I am Robert L. Brock, appearing with the witness.

I have explained to her the statement of pertinency that has been read, and we will not ask to have it read again.

Mr. TUCK. Proceed.

TESTIMONY OF BLANCHE ZWILLINGER SPINDEL, ACCOMPANIED BY COUNSEL, ROBERT L. BROCK

Mr. TAVENNER. Will you state your full name, please?

Mrs. SPINDEL. My name is Blanche Spindel.

Mr. TAVENNER. Miss or Mrs.?

Mrs. SPINDEL. Mrs. Blanche Spindel.

Mr. TAVENNER. What was your maiden name?

Mrs. SPINDEL. Blanche Zwillinger.

Mr. TAVENNER. Where were you born?

Mrs. SPINDEL. I was born in Brooklyn, N.Y.

Mr. TAVENNER. When did you come to the State of California to make it your place of residence?

Mrs. SPINDEL. I decline to answer this question on the grounds of the pertinency of this investigation and on the grounds of the first and fifth amendments guaranteed in the Constitution and the Bill of Rights.

Mr. TAVENNER. Well, you are a resident of the State of California; are you not?

Mrs. SPINDEL. I decline to answer that question on the grounds of the first amendment and the fifth amendment.

Mr. TAVENNER. Do you appear here pursuant to the provisions of a subpena served upon you?

Mrs. SPINDEL. Yes.

Mr. TAVENNER. I desire to offer into evidence a copy of the subpena served upon this witness and ask that it be marked Spindel Exhibit No. 1.

Mr. TUCK. The exhibit will be thus marked and it is ordered to be filed in the record as a part of these proceedings.

Mr. TAVENNER. I would like to read the return, which says:

I made service of the within subpena by personally serving the within-named Blanche Spindel at 226 Isabel St., at 7:30 o'clock, a.m., on the 12th day of April, 1962. James G. Nichols, LAPD [Los Angeles Police Department].

(Document marked "Spindel Exhibit No. 1" and retained in committee files.)

What is your occupation, Mrs. Spindel?

Mrs. SPINDEL. I refuse to answer this question on the grounds of the pertinency of this investigation and on the grounds of the first and fifth amendments.

Mr. TAVENNER. In 1960 were you a member of the Zapata Section of the Communist Party for the Southern District of California?

Mrs. SPINDEL. I decline to answer this question on the grounds of the first and the fifth amendments and the pertinency of this investigation.

Mr. TAVENNER. Were you a member of the Joe Hill Club of that section?

Mrs. SPINDEL. I decline on the grounds—on the same grounds as previously stated.

Mr. TAVENNER. The committee has learned a great deal through hearings that it conducted in Washington last fall and the hearings conducted here on this occasion, regarding the Communist Party purpose to increase its activities of a united front nature. The committee has received information in the course of its investigation that as late as this year, 1962, you have been assigned to do work of that sort in mass organizations, and the organizations to which you were assigned were the Emma Lazarus Jewish Women's Clubs in Los Angeles. Is that correct?

Mrs. SPINDEL. I decline to answer this question on the grounds as previously stated.

Mr. TAVENNER. You are a member of the Communist Party; are you not?

Mrs. SPINDEL. I refuse to answer this question on the previous grounds.

Mr. TAVENNER. Wasn't your specific assignment to make available Communist speakers at the clubs I mentioned?

Mrs. SPINDEL. I decline to answer this question on the same grounds.

Mr. TAVENNER. According to the committee's information resulting from its investigation did you, on January 10, 1962, attend a Women Strike for Peace meeting at the University Methodist Church in Los Angeles?

Mrs. SPINDEL. I decline to answer this question on the same grounds.

Mr. TAVENNER. As a result of this meeting at the University Methodist Church was a protest rally held on January 15, 1962, at

Hancock Park which was a demonstration by the Women Strike for Peace?

Mrs. SPINDEL. I decline to answer this question on the same grounds.

Mr. TAVENNER. Were you placed specifically in charge, in fact made Los Angeles area chairman, of the "Balloon Barrage,"—by which I refer to the release of thousands of balloons at this Women Strike for Peace demonstration?

Mrs. SPINDEL. I decline to answer this question on the same grounds.

Mr. TAVENNER. Were you given a plane ticket for travel to Washington, D.C., on January 4, 1953, to participate in a demonstration there, and was your participation sponsored by the Los Angeles Committee To Secure Justice in the Rosenberg Case?

Mrs. SPINDEL. I decline to answer that question on the same grounds as previously stated.

Mr. TAVENNER. An examination of the January 13, 1953, issue of the *Daily People's World* reflects an article captioned "Congressmen Learn Facts About Clemency for Rosenbergs," in which article Blanche Spindel is identified as a delegate who participated in a White House round-the-clock clemency vigil the previous week. Are you the Blanche Spindel referred to in this article?

Mrs. SPINDEL. I decline to answer this question on the same grounds as previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. TUCK. Do you have any questions?

Mr. SCHERER. I have no questions.

Mr. JOHANSEN. No questions.

Mr. TUCK. The witness may stand aside.

(Witness excused.)

(Whereupon, at 11:30 a.m., Thursday, April 26, 1962, the subcommittee recessed, to reconvene at 1 p.m., of the same day.)

AFTERNOON SESSION, THURSDAY, APRIL 26, 1962

Mr. TUCK (presiding). The subcommittee will come to order, please.

Mr. Lopez, do you solemnly swear that the testimony you will give before this committee will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. LOPEZ. I do.

TESTIMONY OF FRANK SAVAS LOPEZ, ACCOMPANIED BY COUNSEL, ROBERT W. KENNY

Mr. TAVENNER. Will you state your name, please, sir?

Mr. LOPEZ. Frank Lopez.

Mr. TAVENNER. Is your middle name S-a-v-e-s?

Mr. LOPEZ. No, it is not.

Mr. TAVENNER. Do you have a middle name?

Mr. LOPEZ. Yes, I do.

Mr. TAVANNER. What is it?

Mr. LOPEZ. S-a-v-a-s.

Mr. TAVANNER. Are you a Junior?

Mr. LOPEZ. No.

Mr. TAVANNER. Will counsel please identify himself?

Mr. KENNY. Robert W. Kenny, K-e-n-n-y, Los Angeles.

Mr. TAVENNER. Where do you reside, Mr. Lopez?

Mr. LOPEZ. I do not understand the pertinency of the question.

Mr. TAVENNER. It is a matter of identification.

Mr. KENNY. I think we can stipulate the question is pertinent.

Mr. SCHERER. I can't hear either the witness or counsel.

Mr. KENNY. I was suggesting, Mr. Scherer, that we could stipulate that the question was a pertinent one and that the witness will give his address.

Mr. LOPEZ. 2839 Avenel Street.

Mr. TAVENNER. Mr. Lopez, I will read you the committee resolution which authorized this phase of our hearing here today. This is one of the resolutions passed on January 17, 1962, by the Committee on Un-American Activities. It reads as follows:

WHEREAS, the Committee, on September the 22, 1961, adopted the following resolution:

BE IT RESOLVED, That a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Washington, D.C., or at such other place or places as the Chairman may designate, on the 2nd day of October 1961, and to be continued to such date or dates as the chairman may determine, relating to Communist conspiratorial techniques and propaganda used in promoting the objectives of the Communist Party of the United States, with special reference to the utilization of organizations under concealed control of the Communist Party, in opposition to laws enacted by Congress which are designed to strengthen and protect the security of the United States, and with reference to the extent and objects of Communist involvement in the creation, manipulation, or control of the National Assembly for Democratic Rights and its sponsoring or supporting organizations and groups, the legislative purpose being to keep the Congress informed of the extent, character and objectives of Communist propaganda activities in the United States that it may be prepared to enact remedial legislation in the national defense and for internal security.

AND WHEREAS, the Committee desires to conduct such investigation and hearings in Los Angeles, California;

NOW THEREFORE, be it resolved that the said hearings authorized on September 22, 1961, be continued and held in Los Angeles, California on such date as the Chairman may determine and that the Staff of the Committee be authorized to conduct such investigation as may be necessary for said hearings.

Are you an American citizen?

Mr. LOPEZ. I do not consider this question pertinent and I refuse to answer on the grounds of the first and under the fifth amendments.

Mr. TAVENNER. Were you born in Mexico City on December 5, 1910?

Mr. LOPEZ. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. When did you come to the United States?

Mr. LOPEZ. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. You have given your address as a resident of Los Angeles. Will you tell the committee, please, how long you have been a resident of Los Angeles?

Mr. LOPEZ. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. Mr. Lopez, the committee received testimony in executive session on January 24, 1952, that in a prior period you were a member of the Communist Party. Were you a member of the Communist Party prior to 1952?

Mr. LOPEZ. I refuse to answer the question for the previously stated reasons.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence and ask that it be marked Lopez Exhibit No. 1, a document entitled "Constitutional Liberties Information Center." May it be received in evidence? [2]

Mr. TUCK. The exhibit is ordered to be received and thus marked.

Mr. TAVENNER. I will hand the document to the witness and ask him to examine it and state whether he is a member of the Constitutional Liberties Information Center?

Mr. LOPEZ. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. Were you not a delegate from the Constitutional Liberties Information Center to the National Assembly for Democratic Rights held in New York City on September 23 and 24, 1961?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. Did you attend that convention—that is, the convention of the National Assembly for Democratic Rights?

Mr. LOPEZ. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. May I have that document back? I handed it to the witness.

(Discussion off the record.)

Mr. KENNY. If we can cure anything by stipulation I will be glad to do it.

Mr. TAVENNER. No.

I refer you now to a handbill which I desire to introduce in evidence and have marked as Lopez Exhibit No. 2.[3]

Mr. TUCK. It is ordered that the exhibit be received and thus marked.

Mr. TAVENNER. This document announces a "Defend the Bill of Rights Rally," under the auspices of the Constitutional Liberties Information Center, of which Reuben W. Borough is designated as the chairman. In this flier it is stated that among the "Outstanding speakers" will be Frank Lopez, "Delegate to National Assembly for Democratic Rights."

Mr. Lopez, will you examine the document and state whether or not that flier is in error in naming you as a delegate to the conference, the National Assembly for Democratic Rights?

Mr. LOPEZ. I refuse to answer for the previously stated grounds.

Mr. TAVENNER. Will you also look at the document and ascertain whether or not, at the bottom, it is not stated that the rally was being sponsored by the Constitutional Liberties Information Center?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. Referring now to Exhibit No. 1, it is noted that the officers of Constitutional Liberties Information Center are listed as chairman, Reuben W. Borough; vice chairman, Hugh DeLacy; secretary, Robert C. Travis; and treasurer, Morton Newman.

Will you examine it again, please.

Mr. TUCK. Miss Reporter, each time that he is examing a document you make a note of it, please.

[2] See committee *Report and Appendix*), *"United Front" Technique of the Southern California District of the Communist Party*, p. 188.

[3] Ibid., p. 190.

Mr. JOHANSEN. Mr. Chairman, I observe that the witness has not examined it. He has not looked at it and he has done that with other documents, so I am going to object to any statement that he is examining it when he obviously hasn't.

Mr. TUCK. I didn't make the statement that he was.

Mr. JOHANSEN. I am not criticizing the Chair, but the witness is not examining the document.

* * * * * * *

Mr. TAVENNER. Is Hugh DeLacy, named in the document as vice chairman, known to be a member of the Communist Party?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. Is Robert C. Travis, named as secretary in the document, known to you to be a member of the Communist Party?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. And was Morton Newman, designated as treasurer, known to you to have been a member of the Communist Party?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. Are you acquainted with Helen Blair?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. Is she not the office manager and secretary for the organization?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. Is she known to you to be a member of the Communist Party?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. When was the Constitutional Liberties Information Center formed, Mr. Lopez?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. Well, the *People's World* issue of August 26, 1961, page 3, announced that it was "formed recently" and that its purpose was "to oppose the application of the McCarran Act on the grounds that it abridges the freedom of all citizens." Do you agree that that was the purpose of the organization?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. "Application of the McCarran Act" means enforcement of the registration provisions of the Subversive Activities Control Act; does it not?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. The constitutionality of the registration provisions of the Internal Security Act had been upheld by the United States Supreme Court in June 1961. The October 1961 term of the Court was scheduled to consider the Communist Party's petition for rehearing of its case. Did not these actions in the Supreme Court influence the formation of the Constitutional Liberties Information Center?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. What was the relationship between the Constitutional Liberties Information Center in Los Angeles and the Citizens Committee for Constitutional Liberties in New York City?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. The Committee on Un-American Activities has conducted investigations and hearings on this subject which disclosed that the Citizens Committee for Constitutional Liberties in New York was organized on or about June 12, 1961, to function as the party's defense committee and to raise funds for propaganda purposes to counteract the Supreme Court decisions of June 5, 1961.

Was not the Constitutional Liberties Information Center, for which you served as a delegate to a conference in New York, the counterpart of the Citizens Committee for Constitutional Liberties in New York?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. And did it not have the same functions as its counterpart in New York?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. Are you aware of the fact that the executive secretary of the Citizens Committee for Constitutional Liberties, Miriam Friedlander, was also a member of the National Committee of the Communist Party, U.S.A.?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. The committee's investigation shows that the Citizens Committee in New York served as a coordinating and organizing group for the National Assembly for Democratic Rights which was finally held in New York City on September 23 and 24, 1961. Did not the Constitutional Liberties Information Center of Los Angeles serve as an organizer of support in the Los Angeles area for the National Assembly for Democratic Rights?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. You are aware, are you not, that Joseph Brandt was chairman of the opening session of this Assembly—that is, the National Assembly for Democratic Rights in New York and served as spokesman for the Assembly?

Are you aware that this Joseph Brandt has been one of the top officials in the Communist Party of Ohio; that in 1955 he was convicted along with other Ohio party leaders of violating the Smith Act, a conviction which was reversed on appeal in 1958? Are you aware of these facts?

Mr. LOPEZ. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. The committee's investigation which was made in October of last year developed that the National Assembly for Democratic Rights was dominated and controlled by members and officials of the Communist Party.

Now, Mr. Lopez, you are aware, are you not, that the National Assembly for Democratic Rights continued after October of 1961 to function as an organization having its headquarters at 118 East 28th Street, New York City. You are aware of that; are you not?

Mr. LOPEZ. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence as Lopez Exhibit No. 3 a letter signed by Simon Schachter, secretary, on the letterhead of the National Assembly for Democratic Rights, New York City, and ask that it be marked as I suggested.[4]

Mr. TUCK. The exhibit will be thus marked and will be part of the record of the proceedings.

Mr. TAVENNER. The document bears the date of January 1962, Mr. Chairman, and appeals to all supporters and participants of the National Assembly for funds to mail out copies of statements made at the Assembly meeting which was held the previous September, and the letter also asks for funds to guarantee that "your organizing committee can continue to develop major campaigns and national activities, rallying all Americans against the McCarran Act."

Now, Mr. Lopez, did the Constitutional Liberties Information Center of Los Angeles continue to work with the National Assembly for Democratic Rights?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. I offer in evidence a second letter by Mr. Simon Schachter, bearing date of January 1962 on the letterhead of National Assembly for Democratic Rights and, ask that it be marked Lopez Exhibit No. 4.[5]

Mr. TUCK. The exhibit will be thus marked and it is noted for the record that it will be made a part of the record of the proceedings of this hearing.

Mr. TAVENNER. Mr. Lopez, from this letter, I quote the following paragraph:

> We call on all *existing committees* to once again review the "Program of Action," discuss its application in your area and initiate new and additional forms of organized activities with the aim of alerting the majority of the American People to the dangers inherent in the McCarran Act and to join in a common battle against it. [Emphasis in original.]

Attached to the letter is a list of so-called "FUNCTIONING CIVIL LIBERTIES COMMITTEES." The sixteenth item on this list is "Constitutional Liberties Information Center, 1213 North Highland, Los Angeles 38, California." That indicates, does it not, Mr. Witness, that your organization here in Los Angeles was and is cooperating in carrying out the purpose of the National Assembly for Democratic Rights in New York City?

Mr. LOPEZ. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. Are you acquainted with Simon Schachter who signs his name as secretary for the National Assembly for Democratic Rights?

Mr. LOPEZ. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. I would like to refresh the committee's recollection regarding Mr. Schachter. He was subpenaed in October 1961 as a witness in Washington but he presented a medical certificate indicating that he was too ill to testify, but he seems to have engaged in a lot of correspondence since that time.

Mr. SCHERER. Like most of the medical certificates.

Mr. JOHANSEN. I recall that instance of nonappearance.

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[4] Ibid., p. 191.
[5] Ibid., p. 192.

Mr. TUCK. Yes, I recall that too.

Mr. SCHERER. You recall, Mr. Counsel, some of us didn't want to accept that medical certificate.

Mr. TAVENNER. That is correct, yes, sir. We had a closed session to determine whether or not to call him.

Mr. JOHANSEN. In Governor Tuck's office, as I recall.

Mr. TAVENNER. That is right.

Rather than to take up time in discussing each item, I also desire to offer in evidence, as Lopez Exhibit No. 5, an article from page 7 of the December 5, 1961, issue of *The Worker*.

Mr. TUCK. The article will be so marked and it is ordered filed as an exhibit in the record.

(Document marked "Lopez Exhibit No. 5" and retained in committee files.)

Mr. TAVENNER. As Lopez Exhibit No. 6, an article on page 3 from the January 15, 1962, issue of the *National Guardian*.

Mr. TUCK. The article will be so marked and it is ordered filed as an exhibit in the record.

(Document marked "Lopez Exhibit No. 6" and retained in committee files.)

Mr. TAVENNER. May I add that Lopez Exhibits Nos. 5 and 6 contain articles regarding the Citizens Committee for Constitutional Liberties which appeared in *The Worker*, December 5, 1961 and the *National Guardian*, January 16, 1962, respectively.

As Exhibit No. 7, "AN OPEN LETTER TO THE PRESIDENT OF THE UNITED STATES"—that is, the proposed form of one.

Mr. TUCK. The document will be so marked and made a part of the record.[6]

Mr. TAVENNER. As Lopez Exhibit No. 8, a flier issued "as a public service" by the Comite Pro Libertades Constitucionales.

Mr. TUCK. The document will be thus marked and made a part of the record.[7]

Mr. TAVENNER. Mr. Lopez, I have a copy of a letter dated December 15, 1961, carrying the letterhead of the Los Angeles Committee for Protection of Foreign Born. I notice from the officers listed, you are the public relations director.

I offer it in evidence and ask it be marked as Lopez Exhibit No. 9.[8]

Mr. TUCK. It will be thus marked and ordered to be printed as an exhibit in the record.

Mr. TAVENNER. Do you still hold that position?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

Mr. TAVENNER. On March 25, 1961, the 11th Annual Conference of the Los Angeles Committee for Protection of Foreign Born was held at Park Manor, 607 South Western Avenue. Did you attend this conference?

Mr. LOPEZ. Would you repeat the question?

Mr. TAVENNER. I said, there was a conference, the 11th Annual Conference of the Los Angeles Committee for Protection of Foreign Born held on March 25, 1961. Did you attend that conference?

Mr. LOPEZ. I refuse to answer that question for the previously stated reasons.

[6] Ibid., p. 194.
[7] Ibid., p. 195.
[8] Ibid., p. 196.

Mr. TAVENNER. Mr. Chairman, I have various documents here which I desire to introduce into evidence but because of the shortness of time will not undertake to outline the purposes for it at this time. I should give some description of them.

I would like to introduce as Lopez Exhibit No. 10 the "Conference Agenda"—and all these exhibits relate to what occurred at that meeting.[9]

The document titled "Proceedings" of the 11th Annual Conference of the Los Angeles Committee for Protection of Foreign Born constitutes Exhibit 11, and summarizes the first and second sessions of the Conference.[10]

I will, in connection with this, Lopez Exhibit No. 11, ask the witness if he opened that meeting.

Mr. TUCK. Let the documents be thus marked and it is ordered that they be filed as exhibits in the record.

Mr. TAVENNER. All right, sir.

Lopez Exhibit No. 12 is the Annual Report by Rose Chernin to the 11th Annual Conference.[11]

Lopez No. 13 is a Legislative Report to the third and final session by Cleve Harris.[12]

Lopez No. 14 is the Nationalities Panel Report by Frank Lopez.[13]

Lopez No. 15 is the Report of the Credentials Committee by Rose Spector.[14]

Lopez No. 16 is the Defense Panel Report by Harry Carlisle.[15]

Lopez No. 17 is a Brief Résumé of the Main Resolutions Submitted and Passed at the 11th Annual Conference of the Los Angeles Committee for Protection of Foreign Born reported by Lennie Ludel.[16]

Mr. JOHANSEN. Mr. Chairman, may the record show that Chairman Doyle entered the hearing room at this time.

Mr. TAVENNER. Exhibit No. 18 is the program of the 12th Annual Conference of the Los Angeles Committee for Protection of Foreign Born, the Conference chairman being Frank Lopez, and the date is March the 31st, 1962.[17]

Lopez Exhibit No. 19 is the Annual Report delivered at the 12th Annual Conference on March 31, 1962, by Rose Chernin.[18]

Lopez Exhibits 20 and 21 are documents distributed by the Los Angeles Committee for Protection of Foreign Born at its 12th Annual Conference. Exhibit 20 is the text of an amendment to the Immigration and Nationality Act dealing with "Judicial Review of Orders of Deportation and Exclusion"; this amendment was enacted into law in 1961.[19] Exhibit 21 is a legislative proposal which the Los Angeles Committee is promoting; the organization wants the Immigration and Nationality Act amended to prohibit deportation or denaturalization of any alien who has resided in the United States for five years or more.[20]

Mr. TAVENNER. I have no further questions, Mr. Chairman.

[9] Ibid., p. 197.
[10] Ibid., p. 199.
[11] Ibid., p. 202.
[12] Ibid., p. 208.
[13] Ibid., p. 210.
[14] Ibid., p. 212.
[15] Ibid., p. 216.
[16] Ibid., p. 218.
[17] Ibid., p. 220.
[18] Ibid., p. 222.
[19] Ibid., p. 228.
[20] Ibid., p. 231.

Mr. DOYLE. Any questions, Governor?
Mr. TUCK. I have no questions.
Mr. DOYLE. Mr. Johansen?
Mr. JOHANSEN. I have no questions.
Mr. DOYLE. Thank you, counsel.
Mr. KENNY. The witness may be excused?
Mr. DOYLE. Yes.
(Witness excused.)
Mr. DOYLE. Call your next witness, Counsel.
Mr. TAVENNER. Beverly Radcliffe.
Mr. DOYLE. Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?
Mrs. RADCLIFFE. I do.
Mr. DOYLE. Be seated, please.

TESTIMONY OF BEVERLY DELL RADCLIFFE, ACCOMPANIED BY COUNSEL, FRANK S. PESTANA

Mr. TAVENNER. Will you state your name, please.
Mrs. RADCLIFFE. Beverly Radcliffe.
Mr. TAVENNER. Will you spell your name?
Mrs. RADCLIFFE. R-a-d-c-l-i-f-f-e.
Mr. DOYLE. Will you speak up just a little louder, if you can.
Mrs. RADCLIFFE. Yes.
Mr. TAVENNER. Are you Miss or Mrs.?
Mrs. RADCLIFFE. I refuse to answer that on all of the grounds afforded me by the Constitution of the United States.
Mr. JOHANSEN. We can't hear you?
Mrs. RADCLIFFE. Would you like me to repeat it?
Mr. TAVENNER. Yes.
Mrs. RADCLIFFE. I refuse to answer on all of the grounds afforded me by the Constitution of the United States.
Mr. DOYLE. Mrs. Radcliffe, I instruct you to answer that question because we believe that this committee is entitled to an identity of the witnesses before it.
Mrs. RADCLIFFE. I am the same Beverly Radcliffe who was subpenaed to come here and I refuse to answer any further questions on the same grounds.
Mr. TAVENNER. Now, I will ask you to raise your voice a little. It is a little difficult with the fans on for us to understand at this end of the table.
You are not a citizen of the United States, are you?
Mrs. RADCLIFFE. I refuse to answer that on the same grounds.
Mr. TAVENNER. You were quite anxious, though, to request the protection of the provisions of the Constitution.
Mrs. RADCLIFFE. Same answer.
Mr. JOHANSEN. Mr. Chairman, excuse me a minute, but the only invocation that has been made has been the very vague and generalized one of all the safeguards of the Constitution. I wonder if there shouldn't be a little more specific statement of the basis on which the witness declines to answer.
Mr. DOYLE. Well, the witness is here with a legal counsel and she is referring to notes that were made before she came into the room.

Mr. JOHANSEN. I guess the chairman is right. I withdraw the point.

Mr. TAVENNER. Were you born in Alberta, Canada, on February 28, 1938?

Mrs. RADCLIFFE. Same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. RADCLIFFE. Same answer.

Mr. TAVENNER. What do you mean by "same answer"?

Mrs. RADCLIFFE. I refuse to answer on all of the grounds afforded me by the Constitution of the United States.

Mr. TAVENNER. Does that include the provisions of the fifth amendment?

Mrs. RADCLIFFE. Same answer.

Mr. SCHERER. I ask Mr. Chairman, that you direct the witness to answer that question.

Mr. DOYLE. Witness, listen to me a minute: I direct you to answer the question. Now, if you want to refer to your notes in answering the question, go ahead and do it, but we want your answer expressly to these questions.

Mrs. RADCLIFFE. I refuse to answer the pending question on all of the grounds afforded me by the Constitution of the United States.

Mr. SCHERER. Does that include the fifth amendment?

Mrs. RADCLIFFE. Same answer.

Mr. SCHERER. Mr. Chairman, there is a court decision that says that when a committee is not sure whether the witness is relying on the self-incrimination provision of the fifth amendment, that it is required to ask the witness specifically whether or not she is relying on those provisions.

Mr. DOYLE. Do you understand, Witness, Mr. Scherer's observation? I instruct you to answer as to whether or not you are specifically relying on the self-incrimination provision of the fifth amendment to the United States Constitution.

Mrs. RADCLIFFE. Yes, I do understand; and I am refusing to answer on all of the grounds afforded me by the Constitution of the United States.

Mr. DOYLE. All right.

Mr. TAVENNER. Were you a member of the Independent Student Union in Los Angeles?

Mrs. RADCLIFFE. Same answer.

Mr. SCHERER. Now, Mr. Chairman, that isn't an answer. She is refusing to answer.

I submit we do not accept her statement "same answer," because it's not an answer; it's a refusal to answer.

Mr. DOYLE. I wish to make it clear, Witness, it's not just as simple as you are making it—"same answer." I am sure your counsel can give you the wording that you should use if you are refusing to answer.

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Did you become the chairman of a demonstration conducted by the Walter Reception Committee in Los Angeles on March the 19th, 1962?

Mrs. RADCLIFFE. I refuse to answer on the same grounds previously stated.

Mr. TAVENNER. Did you participate in that demonstration by the Walter Reception Committee?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photograph and ask that it be marked Radcliffe Exhibit No. 1. I ask the witness if the woman appearing in the center of the photograph is herself.[21]

Mr. DOYLE. So ordered. Let the record show that counsel for the witness and the witness are both examining the photograph, the exhibit offered.

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. DOYLE. Will you look at this, Governor, and in the foreground is a young lady.

Mr. TUCK. It is obvious, very obvious that the lady in the photograph and the witness before us is one and the same person.

Mr. DOYLE. Mr. Scherer, will you take a look at the young lady witness and then the picture in the photograph.

Mr. SCHERER. Obviously it is a photograph of her.

Mr. JOHANSEN. I agree.

Mr. TAVENNER. Did you participate in a demonstration on March 7, 1962, known as the Women's International Strike for Peace held in front of the office of the Atomic Energy Commission, 3325 Wilshire Boulevard?

Mr. JOHANSEN. That's here in Los Angeles?

Mr. TAVENNER. Yes, Los Angeles.

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Were you directed by the Communist Party or any of its officials, or did you, by your own volition, as a member of the Communist Party, engage in that demonstration?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a second photograph and ask it be marked Radcliffe Exhibit No. 2——

Mr. DOYLE. It is so marked and received.

Mr. TAVENNER.—showing a part of the demonstration known as the Women's International Strike for Peace. I will ask the witness if the woman appearing in the left of the picture is herself?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

(Document marked "Radcliffe Exhibit No. 2" and retained in committee files.)

Mr. DOYLE. Governor, does that picture——

Mr. TUCK. Yes. The woman in the picture and the witness are the same.

Mr. DOYLE. The woman is carrying the placard "Disarm," D-i-s-a-r-m.

Mr. Scherer? I believe it is a photograph of this witness.

Mr. JOHANSEN. I concur.

Mr. SCHERER. I think that's right.

Mr. TAVENNER. Witness, did you, on December 20, 1961, participate in a peace demonstration picket line in front of the Federal Building sponsored by Student Peace Union?

[21] Ibid., p. 232.

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. On November 18, 1961, did you participate as a demonstrator in a demonstration held by "Help Establish Lasting Peace" in front of the Palladium on Sunset Boulevard, Los Angeles?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. I offer in evidence a photograph and ask it be marked Radcliffe Exhibit No. 3.

Mr. DOYLE. It will be so received and so marked.

Mr. TAVENNER. And this is a picture taken of that demonstration or part of it.

Will the witness state whether or not it is a photograph of herself.

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

(Document marked "Radcliffe Exhibit No. 3" and retained in committee files).[22]

Mr. DOYLE. Will you look at this?

Mr. SCHERER. It is obviously a photograph of the witness.

Mr. JOHANSEN. Obviously, correct.

Mr. DOYLE. Same person. Today she appears without glasses and at the time of the photograph, she wore dark glasses.

Mr. TAVENNER. Have you been active in the * * * Independent Student Union?

Mr. PESTANA. Is that a question?

Mr. TAVENNER. Yes.

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. On July 23, 1961, did you attend a picnic sponsored by the Fair Play for Cuba Committee?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. To what extent was the Communist Party interested in having its members cooperate in the formation and in the activities of the Fair Play for Cuba Committee?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Did you, on April 17, 1961, participate as a picket in a demonstration sponsored by the Fair Play for Cuba Committee?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. On March 23, 1961, were you a participant in a farewell party for Frank Wilkinson?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Were you aware that Frank Wilkinson was a member of, and paid functionary in, the Communist Party before he became executive director of the Los Angeles Citizens Committee To Preserve American Freedoms?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

[22] This document was also introduced as "HELP Exhibit No. 16" and appears in Report and Appendix, "United Front" Technique of the Southern California District of the Communist Party, p. 240.

Mr. TAVENNER. Have you been active in the work of the organization recruiting young people for the Eighth World Youth Festival at Helsinki?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Did you participate on April 19, 1961, in a picket line sponsored by the Fair Play for Cuba Committee in front of the Federal Building?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Have the various activities about which I have questioned you, been activities in which the Communist Party has instructed its members to participate in keeping with the party's "united front" technique?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. I have no further questions.

Mr. JOHANSEN. Mr. Chairman, I am wondering whether I missed it. Did we get counsel's name into the record?

Mr. PESTANA. Frank Pestana, P-e-s-t-a-n-a. I don't know whether he did or not. I believe you didn't.

Mr. JOHANSEN. I do not recall. We should.

Mr. TAVENNER. I would like to ask, I believe, another question:

How long have you been in the United States?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. SCHERER. Do we have any evidence as to the witness' nationality, Mr. Tavenner?

Mr. TAVENNER. We know she was born in Canada. We understand she is not an American citizen.

Mr. DOYLE. Well, she knows.

Mr. TAVENNER. Yes, certainly.

Mr. DOYLE. If she is naturalized she ought to be proud enough of it to tell us the fact, but we will find out very quickly.

May I ask, have you become a naturalized citizen of the United States of America?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. DOYLE. Do you honestly feel that if you answer that question you would subject yourself to the possibility of criminal prosecution, that you became a citizen of the United States?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. SCHERER. She might subject herself to criminal prosecution in another country if she became a citizen of the United States.

Mr. DOYLE. Any questions, Mr. Johansen?

Mr. JOHANSEN. None.

Mr. DOYLE. May I ask, have you registered with the United States Attorney General as a member of the Communist Party as required by law of the United States?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. JOHANSEN. May I ask a further question: Are you now a member of the Communist Party?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mrs. RADCLIFFE. I refuse to——

Mr. JOHANSEN. Were you a member of the Communist Party prior to your entry into the United States?

Mrs. RADCLIFFE. I refuse to answer on the grounds previously stated.

Mr. JOHANSEN. I suggest, Mr. Chairman, that the matter of her entry into the United States should be checked with the Immigration and Naturalization Service of the Department of Justice.

Mr. DOYLE. I agree. It certainly will.

I would think that any person who is proud of citizenship of the United States would feel very uncomfortable leading public parades against the Government of the United States. I should think such a person would feel very uncomfortable even if not a citizen.

Mr. SCHERER. Not if she is a dedicated Communist, she wouldn't be.

Mr. DOYLE. Oh, no.

Have you any other questions?

Mr. TAVENNER. No, sir.

Mr. DOYLE. The witness is excused and counsel is excused.

(Witness excused.)

Mr. DOYLE. Mrs. Blumen, do you solemnly swear you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. BLUMEN. So help me God.

Mr. DOYLE. Thank you.

TESTIMONY OF BESSIE (BESSIA) BLUMEN, ACCOMPANIED BY COUNSEL, FRANK S. PESTANA

Mr. WHEELER. Will you please state your name.

Mrs. BLUMEN. Bessie Blumen, B-l-u-m-e-n.

Mr. WHEELER. Would you advise the committee of your maiden name?

Mrs. BLUMEN. I would like the pertinency of this hearing.

Mr. WHEELER. I will read to you a resolution adopted by the House Committee on Un-American Activities, January 17, 1962:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States, and that the staff of the Committee be authorized to conduct investigations deemed reasonably necessary in preparation for said hearings.

Now, your maiden name, Mrs. Blumen.

Mrs. BLUMEN. I refuse to answer on the grounds afforded to me by the Constitution of the United States and all the rest.

Mr. WHEELER. Question of identification, Mr. Chairman.

Mr. DOYLE. I couldn't quite understand the lady's answer.

Mrs. BLUMEN. I refuse to answer any question on the grounds afforded to me by the Constitution of the United States.

Mr. SCHERER. Any question that's going to be asked, she says she is refusing to answer. It is obvious that she is invoking the fifth amendment in bad faith when at the outset she says she is not going to answer any questions. I submit that she already places herself in contempt by that answer.

Mr. DOYLE. May I understand, Witness, are you refusing to answer any questions?

Mrs. BLUMEN. I refuse to answer that question.

Mr. DOYLE. This question.

Mr. WHEELER. Your given name is Bessia. B-e-s-s-i-e is the way we spell it; however, the correct spelling is B-e-s-s-i-a; is that not correct?

Mrs. BLUMEN. Refuse to answer it on the same grounds.

Mr. WHEELER. Is it true that you were born in Russia?

Mrs. BLUMEN. I refuse to answer on the same grounds.

Mr. WHEELER. You were naturalized in Newark, New Jersey, February 28, 1942?

Mrs. BLUMEN. I refuse to answer on the same grounds.

Mr. WHEELER. How long have you been in California?

Mrs. BLUMEN. I refuse to answer on the same grounds.

Mr. WHEELER. Mrs. Blumen, have you received any directives—first, I would like to ask you, are you a member of the Communist Party?

Mrs. BLUMEN. I refuse to answer on the same grounds.

Mr. WHEELER. Have you received any directives from the Communist Party this year requesting you to participate in any demonstrations?

Mrs. BLUMEN. I still refuse to answer. On the same grounds.

Mr. WHEELER. Did you participate in a demonstration, Women Strike for Peace, on January 15, 1962?

Mrs. BLUMEN. I refuse to answer on the same grounds.

Mr. WHEELER. Our information is that you did participate in such a demonstration on that particular date, and we would like to know if you were there on your own initiative or on request of the Communist Party of this area.

Mrs. BLUMEN. I refuse to answer on the same grounds.

Mr. WHEELER. Are you now a member of the Communist Party?

Mrs. BLUMEN. I refuse to answer on the same grounds.

Mr. WHEELER. I have no further questions.

Mr. SCHERER. When did you say, Mr. Counsel, that this woman was naturalized?

Mr. WHEELER. February 28, 1942, Newark, New Jersey.

Mr. SCHERER. Were you a member of the Communist Party at the time you were naturalized?

Mrs. BLUMEN. I refuse to answer on the same grounds.

Mr. SCHERER. Mr. Chairman, I move that the testimony of this witness and the investigative files of our staff be referred to the Department of Justice in order that it might determine whether proceedings for denaturalization should be commenced.

Mr. DOYLE. Mr. Johansen?

Mr. JOHANSEN. I agree, and I second the motion.

Mr. DOYLE. All right. The motion is carried and the staff is so instructed.

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Mr. WHEELER. May the witness be excused?
Mr. DOYLE. Are there any questions?
Mr. JOHANSEN. No questions.
Mr. SCHERER. No.
Mr. DOYLE. Thank you.
(Witness excused.)
Mr. DOYLE. Mrs. Barry, do you solemnly swear that the testimony you will give will be the truth, the whole truth and nothing but the truth, so help you God?
Mrs. BARRY. Yes.
Mr. DOYLE. Thank you. You may be seated.

TESTIMONY OF EDITH H. BARRY, ACCOMPANIED BY COUNSEL, FRANK S. PESTANA

Mr. WHEELER. Will the witness state her name, please?
Mrs. BARRY. Edith Barry.
Mr. WHEELER. Miss or Mrs.?
Mrs. BARRY. Mrs.
Mr. SCHERER. Will the witness please speak a little louder. I can't hear for some reason.
Mr. DOYLE. There is noise coming in the window, believe it or not.
Mr. WHEELER. Are you Mrs. Bernard S. Barry?
Mrs. BARRY. I will not answer that question on all the grounds afforded me by the Constitution.
Mr. SCHERER. I am sorry, I can't hear.
Mrs. BARRY. I refuse to answer that question on all the grounds afforded me by the Constitution of the United States.
Mr. JOHANSEN. What was the question?
Mr. WHEELER. The first question was if it was Miss or Mrs. Barry and she said Mrs.; and I asked her if she was the wife of Bernard Barry and she invoked the whole Constitution.
Mr. DOYLE. Well, in view of your first answer I instruct you to answer that question.
Mrs. BARRY. Same answer. On the same grounds.
Mr. SCHERER. Do you honestly apprehend that to answer the question as to whether you are the wife of Bernard Barry might lead to a criminal prosecution?
Mrs. BARRY. Same grounds for the same reasons.
Mr. WHEELER. Was your maiden name Hoffman, H-o-f-f-m-a-n?
Mrs. BARRY. The same grounds for the same reasons.
Mr. SCHERER. Well, if the witness is going to invoke her constitutional privileges, let's have it invoked instead of saying: "Same grounds for same reasons," which doesn't make sense.
Mr. DOYLE. Will you instruct her——
Mr. PESTANA. I have already, Mr. Chairman.
Mrs. BARRY. I refuse to answer the question on all the grounds afforded me by the Constitution of the United States.
Mr. WHEELER. What is your current address, Mrs. Barry?
Mrs. BARRY. I refuse to answer that on all the grounds guaranteed me by the Constitution of the United States.
Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question because it is asked for the purpose of identification.

Mr. DOYLE. I instruct you, Witness, to answer that question. As Mr. Scherer says, it is asked you specifically on the point of identification. We believe we are entitled to that as a matter of record.

Mrs. BARRY. I am Edith Barry who was subpenaed and, as for the rest of it, I refuse to answer afforded me on the grounds by the Constitution of the United States.

Mr. WHEELER. Where were you served with the subpena?

Mrs. BARRY. I refuse to answer on all the grounds afforded me by the Constitution of the United States.

Mr. WHEELER. Are you a bookkeeper for the Mica Corporation?

Mrs. BARRY. I refuse to answer on all the grounds afforded me by the Constitution of the United States.

Mr. WHEELER. At 4031 Elenda Street, Culver City?

Mrs. BARRY. I refuse to answer for the same grounds for the same reasons.

Mr. SCHERER. How could it possibly incriminate you if you told us whether or not you were the bookkeeper for this corporation?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. SCHERER. Were you engaged in any illegal activity at that company that causes you to invoke the self-incrimination provision of the fifth amendment?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. Do you reside at 1536 Sherbourne Drive, Los Angeles?

Mrs. BARRY. Same answer, for the same reasons.

Mr. WHEELER. Does the date August 10, 1918, have any meaning to you?

Mrs. BARRY. Same answer, same reasons.

Mr. JOHANSEN. Mr. Chairman, the witness can't properly say "Same answer," because it isn't an answer. It is a refusal to answer.

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. SCHERER. What significance does that date have?

Mr. WHEELER. It is her birth date. I thought she might recall it.

Mr. DOYLE. Well, she was there.

Mr. WHEELER. You were born in New York City on that date; were you not?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. You have lived in California since 1947?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. Our records disclose that you were a delegate to the Second Convention of the Communist Party, Southern California District; is that correct?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. 1952–54, were you not assigned to the West Adams Club of the Independent Progressive Party?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. In 1959, is it not a fact that you were a member of the West Adams Club, Moranda Smith Section of the Communist Party, Southern California District?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. Were you not a delegate from the Moranda Smith Section to the convention I previously mentioned?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. Are you still engaged in political activities on behalf of the Communist Party?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. In 1955 you held the position of chairman of the Political Action Committee of the Baldwin Gardens Democratic Club; did you not?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. Are you presently a member of the Communist Party?

Mrs. BARRY. I refuse to answer for the same reasons.

Mr. WHEELER. I have nothing further Mr. Chairman.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mrs. BARRY. I refuse to answer that for the same reasons.

Mr. JOHANSEN. I have no further questions.

Mr. DOYLE. Well, I wish to say I hope you are not a Communist and also a member of a Democratic club.

Mr. SCHERER. That's just what she is. Because she is infiltrating the Democratic club as an agent of the Communist apparatus. It is as clear as the day is long.

Mr. DOYLE. I am afraid so. And the Democratic club isn't and doesn't welcome —the Democratic Party in California doesn't welcome you Communists, and you know it. The Communist Party always uses anything for the aims of communism instead of the principles of either the Republican or the Democratic Party, it is my belief.

Mr. WHEELER. I have nothing further, Mr. Doyle.

Mr. DOYLE. Any other questions?

Mr. JOHANSEN. No.

Mr. SCHERER. None.

Mr. DOYLE. No other questions, Counsel. Thank you.

(Witness excused.)

Mr. DOYLE. Mr. Large, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LARGE. I do.

Mr. DOYLE. Will you please take the witness chair.

TESTIMONY OF ROBERT WALTER LARGE, ACCOMPANIED BY COUNSEL, HUGH R. MANES

Mr. WHEELER. State your name, please.

Mr. LARGE. Robert Large.

Mr. WHEELER. L-a-r-g-e?

Mr. LARGE. That is right.

Mr. WHEELER. And where do you reside, Mr. Large?

Mr. LARGE. I believe that I should decline to answer that for some reasons that I have noted here. Do you wish me to read them?

I decline to answer on several grounds: One, the authority from the House under which this committee operates violates the first and other of the amendments in the Bill of Rights in that it is vague, ambiguous and results in abridging the freedom of speech and association therein guaranteed to all citizens.

Two, the question is not pertinent and relevant to the assignment of this committee or to the declared purpose of this investigation or any proper inquiry on legislature—or legislative purpose.

Three, the question inquires into my beliefs and associations and abridges my rights as guaranteed by the first amendment.

Mr. WHEELER. Your address does that?

Mr. LARGE. What?

Mr. WHEELER. Asking your address violates that section you are reading?

Mr. LARGE. Should I answer the first question?

Mr. WHEELER. Well, I don't think this is in answer to the question.

Mr. DOYLE. It is a prepared statement.

Mr. WHEELER. It is a matter of identification.

Mr. JOHANSEN. I am constrained to say, Mr. Chairman, if there is any abridging of freedom of speech this afternoon it will be the witness that does it.

Mr. DOYLE. Well——

Mr. LARGE. And, fourth, upon the further ground that the question calls on me to condemn and accuse myself from my own lips—that is, tend to incriminate me in violation of the fifth amendment.

Mr. SCHERER. It tends to incriminate you, sir, to give the address?

Mr. MANES. May the witness finish his answer, please?

Mr. SCHERER. I can interrupt.

Mr. MANES. He is trying to give an answer to the first question asked.

Mr. SCHERER. I want to know how giving his address would tend to incriminate him.

Mr. LARGE. Because, A: —Sorry—The committee lacks jurisdiction over me because, A: The unlawful exercise of its subpena power; and, B, the unlawful delegation of its subpena power.

Mr. DOYLE. Now, are you through, Witness?

Mr. LARGE. This is my statement.

Mr. DOYLE. Did you write that? Did you write that yourself? Did you prepare that or did your lawyer prepare it?

Mr. LARGE. Partly both.

Mr. DOYLE. Yes, I thought so.

Mr. SCHERER. It's all right.

Mr. DOYLE. It's all right, but I just want the record to show what the fact is.

Mr. WHEELER. Are we accepting the entire statement or the portion of the fifth amendment on self-incrimination?

Mr. SCHERER. I ask that you direct the witness to answer the question. It is obviously an improper invocation.

Mr. DOYLE. I direct you to answer the question.

Mr. LARGE. I decline to answer on the grounds stated.

Mr. DOYLE. Now, just a minute.

Counsel, yesterday when you were in I made it clear to you that when one of your clients came in here and read a statement that statement must be filed with the committee. Now, I am going to require that or we will strike the whole thing from the record.

Mr. MANES. Mr. Chairman, that was an answer and not a statement.

Mr. DOYLE. Yes, it was an answer.

Mr. MANES. He is allowed to give an answer to a question in which he is proclaiming his constitutional rights for the record. That is all he is doing.

Mr. DOYLE. This is a statement that he's made with your help, and the rules of the committee require statements to be filed with the committee.

Mr. MANES. If the chairman please, the only position which I believe the witness would take is that this is a statement that was—an answer to a question that was prepared with the assistance of counsel, which is the constitutional rights guaranteed under the rules; and furthermore, to take the statement without his consent would not only be a violation of the fourth amendment, to take away his property without consent, but additionally, it would be an abridgment of constitutional right to counsel.

Mr. DOYLE. We are not going to permit you to take any time to argue before this committee.

Mr. WHEELER. May I go ahead?

Mr. MANES. These people are not articulate, you see, and they need help.

Mr. DOYLE. Just a minute. You advise your client of his constitutional rights, and that is all you do. Our rules don't permit counsel to argue with us, the way you are trying to do.

Witness, you are instructed to answer the question.

Mr. LARGE. I decline upon the grounds previously stated.

Mr. DOYLE. Go ahead, Mr. Wheeler.

Mr. WHEELER. Mr. Large, are you the same Robert Large who resides at 5939 North Vista, San Gabriel?

Mr. LARGE. I decline to answer as stated—grounds previously stated.

Mr. WHEELER. You responded to a subpena served upon you at that address, at 7 a.m., on April 12, did you not?

Mr. LARGE. I decline to answer on the grounds stated.

Mr. WHEELER. Why are you present?

Mr. LARGE. In response to that subpena.

Mr. WHEELER. Well, then you did receive the subpena at the time I indicated?

Mr. LARGE. No question.

Mr. WHEELER. Well, then, you do reside at 5939 North Vista, San Gabriel. You have already answered the question.

Mr. LARGE. Well, I decline to answer the question on the grounds previously stated.

Mr. DOYLE. Well, he didn't hear the legal counsel's advice, evidently.

So, go ahead, Mr. Wheeler.

Mr. WHEELER. When and where were you born, Mr. Large?

Mr. LARGE. I decline to answer on the grounds previously stated.

Mr. WHEELER. Our records show that you were born on July 26, 1896, at Bethalto, Illinois. Is that correct?

Mr. LARGE. I decline to answer that as stated. To answer as——

Mr. WHEELER. What is your occupation?

Mr. LARGE. I decline to answer as stated.

Mr. WHEELER. Mr. Chairman, this person is a retired railroad worker. Now, is retirement self-incriminating?

Mr. DOYLE. Well, could be. Depends on what he is doing when he claims to be retired.

Mr. WHEELER. Will you instruct him to answer the question?

Mr. DOYLE. I instruct you to answer the question, Witness.

Mr. LARGE. I decline to answer on the grounds I have previously stated.

Mr. WHEELER. Mr. Large, you have been a member of the Communist Party in the San Gabriel Section for many years; have you not?

Mr. LARGE. I decline—May I ask what the legislative purpose of the committee in this question might be?

Mr. WHEELER. Certainly. I will be pleased.

Mr. SCHERER. If we tell you what the legislative purpose is, are you going to answer the question?

Mr. LARGE. I would decline to answer that question as stated.

Mr. DOYLE. Go ahead, Mr. Wheeler. Read it because counsel wants him to hear that.

Mr. WHEELER. On January 17, 1962, the Committee on Un-American Activities in Washington, D.C., passed this resolution which reads as follows:

BE IT RESOLVED, that a hearing by the Committee on Un-American Activities, or a subcommittee thereof, be held in Los Angeles, California, at such time as the Chairman may designate relating to the structure, objectives and activities of the Communist Party in Southern California for the legislative purpose of receiving information designed to aid the Committee and Congress in determining whether the Internal Security Act of 1950 should be amended in a manner to make unlawful membership in the Communist Party of the United States, and that the staff of the Committee be authorized to conduct investigations deemed reasonably necessary in preparation for said hearings.

I believe the question was, You have been a member of the Communist Party for a considerable number of years in San Gabriel; is that correct?

Mr. LARGE. I—May I have you repeat the question with regards to the—that is, the legislative purpose with regards to dates?

Mr. SCHERER. Oh, now, counsel read and told him what the legislative purpose was. Let's not be made fools of by a Communist like this one.

I ask you to direct the witness to answer the question.

Mr. DOYLE. You are directed to answer the question.

Mr. LARGE. I decline to state on the grounds previously stated.

Mr. WHEELER. Our investigation has disclosed that in 1944 you were educational director for the San Gabriel Valley Communist Party clubs; is that correct?

Mr. LARGE. I decline to answer on the grounds that I have previously stated.

Mr. WHEELER. You were a member of the Independent Progressive Party in 1948 to 1954; were you not?

Mr. LARGE. I decline to state on the grounds that I have previously stated.

Mr. WHEELER. Weren't you assigned to the San Gabriel Club of the Independent Progressive Party?

Mr. LARGE. I decline to answer on the grounds previously stated.

Mr. WHEELER. Now, information has been received to the effect that you have been active in the National Negro Labor Council in Los Angeles; is that correct?

Mr. LARGE. I decline to state on the grounds I have previously stated.

Mr. WHEELER. The Communist Party, Southern California District, held a convention in November 1959 and January 1960. Were you not in attendance at this convention?

Mr. LARGE. I decline to answer on the grounds—decline to answer on the ground I have previously stated.

Mr. WHEELER. Were you not a delegate to this convention representing the San Gabriel Section of the Communist Party?

Mr. LARGE. I decline to state on the grounds I have already mentioned.

Mr. WHEELER. And referring back to the Independent Progressive Party, Mr. Chairman, I would like to ask the witness if he circulated a petition bearing the date January 31, 1948.

This petition was circulated to qualify the Independent Progressive Party as a legal party in the State of California.

I will ask you to look at page 3 of this document, Mr. Large, and tell us if it bears your signature.

Mr. JOHANSEN. May the record show, Mr. Chairman, that the witness and counsel are viewing the exhibit?

Mr. DOYLE. It is so noted.

Mr. LARGE. I decline to state on the ground I have—I decline to answer—I am sorry—on the grounds I have previously stated.

Mr. WHEELER. What is your reaction to the Fidel Castro government in Cuba?

Mr. LARGE. I decline to answer on the grounds I have previously stated.

Mr. WHEELER. Do you support Mr. Castro and his government?

Mr. LARGE. I decline to answer as stated.

Mr. WHEELER. Have you heard of the Fair Play for Cuba Committee?

Mr. LARGE. I decline to answer.

Mr. WHEELER. I have a photograph here, Mr. Large. I would like to show you—carrying a sign.

I would like to ask you if this is a picture of yourself?

Mr. LARGE. I decline to answer on the grounds previously stated.

Mr. DOYLE. Let the record show that counsel and witness inspected the exhibit.

Mr. WHEELER. Mr. Chairman, this is a photograph of Mr. Large taken on April 19, 1961, in front of the Federal Building here. This demonstration and picket line was sponsored by the Fair Play for Cuba Committee. I would like to introduce this as Large Exhibit No. 1.[23]

Mr. JOHANSEN. Obviously it is a photograph of the witness.

Mr. DOYLE. It is admitted, and will be so marked.

Mr. WHEELER. Are you now a member of the Communist Party?

Mr. LARGE. I decline to answer on the ground I previously stated.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mr. LARGE. I decline to answer on the ground I have previously stated.

Mr. WHEELER. I have no further questions.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. I have none.

Mr. DOYLE. Have you registered, Mr. Large, under the laws, with the Attorney General of the United States as a member of the Communist Party?

Mr. LARGE. I decline to answer on the ground I have previously stated.

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[23] See committee *Report and Appendix, "United Front" Technique of the Southern California District of the Communist Party*, p. 232.

Mr. DOYLE. I have no further questions, Counsel.

Mr. JOHANSEN. Mr. Chairman, I don't know whether we identified counsel.

Mr. MANES. Hugh R. Manes, M-a-n-e-s.

(Witness excused.)

Mr. DOYLE. Mr. Martinez do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARTINEZ. I affirm.

Mr. DOYLE. May the record show that the witness affirms.

TESTIMONY OF GUILLERMO M. MARTINEZ, ACCOMPANIED BY COUNSEL, ROBERT L. BROCK

Mr. TAVENNER. Will you state your full name and spell it, please.

Mr. MARTINEZ. Guillermo Martinez, G-u-i-l-l-e-r-m-o M-a-r-t-i-n-e-z.

Mr. TAVENNER. Now, will counsel please identify himself?

Mr. BROCK. Robert L. Brock, B-r-o-c-k.

I have explained to the witness your statement of legislative purpose.

Mr. TAVENNER. All right. Thank you.

Mr. Martinez, you were born January 27, 1920, in Arizona; your present address is 2873 Sunset Place, Los Angeles; and your occupation is salesman for the Western Auto Association, 2122 North Broadway, Los Angeles, is that correct.

Mr. BROCK. There is no objection to answering the first three of those questions, Counsel, if you wouldn't compound them by putting four things together.

Mr. TAVENNER. Very well, sir.

Then, you answer affirmatively all those questions except your occupation?

Mr. MARTINEZ. That is correct.

Mr. TAVENNER. Why do you not answer the question with regard to your occupation?

Mr. MARTINEZ. Because I do not think it is pertinent and because I stand on the first and fifth amendments of the Constitution.

Mr. TAVENNER. Did you attend Marxist classes taught by John Hellman in November 1959?

Mr. MARTINEZ. I decline to answer that question on the grounds stated before.

Mr. TAVENNER. Did you later become a member of the Echo Park Section of the Communist Party?

Mr. MARTINEZ. I decline to answer your question on the previous grounds.

Mr. TAVENNER. Have you participated in the activities of the Fair Play for Cuba Committee?

Mr. MARTINEZ. I decline to answer your question on the same grounds.

Mr. TAVENNER. Did you and Frank Lopez attend the Latin American Conference for National Sovereignty, Economic Emancipation and Peace in Mexico City?

Mr. MARTINEZ. I decline to answer your question on the previous grounds.

Mr. TAVENNER. Mr. Chairman, the staff has procured a letter from Mexico dealing with this conference. It is in Spanish and has been

translated into English. The letter was signed by Vicente Lombardo Toledano, under date of January 13, 1961, and I desire to offer it in evidence and ask that it be marked Martinez Exhibit No. 1.

Mr. DOYLE. It will be so received and so marked.

(Document marked "Martinez Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Questions, Mr. Scherer?

Mr. SCHERER. None.

Mr. TAVENNER. I asked you a question about joining the Echo Park Section of the Communist Party. Possibly I should also ask you, are you a member of the Communist Party?

Mr. MARTINEZ. I decline to answer your question on the previous grounds.

Mr. JOHANSEN. Have you ever been a member of the Communist Party?

Mr. MARTINEZ. I decline to answer your question on the previous grounds.

Mr. JOHANSEN. No further questions.

Mr. DOYLE. Have you registered as a member of the Communist Party under the law requiring Communists to register?

Mr. MARTINEZ. I decline to answer your question.

Mr. DOYLE. All right.

No other questions, Counsel?

Mr. TAVENNER. No, sir.

Mr. DOYLE. The witness is excused.

[Witness excused.]

Mr. DOYLE. May the record show that the committee recessed at 6:10 p.m. to convene at 8 a.m. tomorrow.

(Whereupon, at 6:10 p.m., Thursday, April 26, 1962, the subcommittee recessed, to reconvene, Friday, April 27, 1962, at 8 a.m.)

"UNITED FRONT" TECHNIQUE OF THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

FRIDAY, APRIL 27, 1962

United States House of Representatives,
Subcommittee of the
Committee on Un-American Activities,
Los Angeles, Calif.

EXECUTIVE SESSION[1]

The subcommittee of the Committee on Un-American Activities reconvened at 8:15 a.m., pursuant to recess, in Room 519, U.S. Federal Building, Representative Clyde Doyle (chairman of the subcommittee) presiding.

Subcommittee members: Representatives Clyde Doyle, of California; Edwin E. Willis, of Louisiana; William M. Tuck, of Virginia; Gordon H. Scherer, of Ohio; and August E. Johansen, of Michigan.

Subcommittee members present: Representatives Doyle, Tuck, and Johansen.

Staff members present: Frank S. Tavenner, Jr., director, and William A. Wheeler, investigator.

* * * * * * *

Mr. Doyle. Will the witness please rise and be sworn.

Do you solemnly swear that the testimony you are about to give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Alexander. I do.

Mr. Doyle. Thank you, be seated.

TESTIMONY OF CHAUNCEY A. ALEXANDER, ACCOMPANIED BY COUNSEL, ALLEN NEIMAN

Mr. Tavenner. Will you state your name, please?

Mr. Doyle. Just a minute—I recessed the committee for just a minute.

Let the record show the committee reconvened and the three members of the subcommittee are present, Representatives Tuck, Johansen, and Doyle; therefore, a quorum of the subcommittee is present.

Mr. Tavenner. Will you state your name, please, Mr. Alexander?

Mr. Alexander. Chauncey A. Alexander.

Mr. Tavenner. Will counsel accompanying the witness please identify himself?

Mr. Neiman. Yes, Allen Neiman.

[1] Released by the committee and ordered to be printed.

Mr. TAVENNER. When and where were you born, Mr. Alexander?

Mr. ALEXANDER. I respectfully refuse to answer the question on the following grounds:

The first amendment, fifth amendment, and the Bill of Rights.

Mr. DOYLE. I direct you to answer the question, Witness. This question goes solely to the question of identification of the person and there is no question in our minds about its justification. Legally Congress is entitled to know the identity of people it's dealing with in any congressional hearing.

This question goes only to that one question of identifying the witness.

May I further suggest this, that certainly it couldn't submit you to the possibility of criminal prosecution because you were born.

Mr. NEIMAN. I think Mr. Doyle's statement is well taken. There is no objection to the witness answering that question.

Mr. ALEXANDER. Could you ask me again then, Mr. Tavenner?

Mr. TAVENNER. Yes, sir, when and where were you born?

Mr. ALEXANDER. I was born May 11, 1916, in Kansas City, Missouri.

Mr. TAVENNER. Where do you now reside?

Mr. ALEXANDER. 5036 Rosewood Avenue, Los Angeles 4.

Mr. TAVENNER. How long have you been a resident of Los Angeles?

Mr. ALEXANDER. I respectfully refuse to answer on the following grounds:

First amendment, fifth amendment, and the Bill of Rights.

Mr. TAVENNER. Will you advise the committee, please, as to what your formal educational training has been?

Mr. ALEXANDER. I respectfully refuse to answer on the following grounds:

The first amendment, fifth amendment, and the Bill of Rights.

Mr. TAVENNER. Do you honestly believe that it would tend to incriminate you if you advise the committee as to what your educational training has been, your formal educational training?

Mr. ALEXANDER. I respectfully refuse to answer on each of the following grounds:

First amendment, fifth amendment, and the Bill of Rights.

Mr. TAVENNER. What is your occupation?

Mr. ALEXANDER. I respectfully refuse to answer on each of the following grounds:

The first amendment, the fifth amendment, and the Bill of Rights.

Mr. TAVENNER. I have received a communication, as late as April 25, advising me that you are a member of the board of the Citizens Committee to Preserve American Freedoms. Is that correct, that you are?

Mr. ALEXANDER. I respectfully refuse to answer on each of the following grounds:

First amendment, fifth amendment, and the Bill of Rights.

Mr. TAVENNER. I am advised in the same communication that you are the executive director of the Los Angeles County Heart Association, is that correct?

Mr. ALEXANDER. I respectfully refuse to answer on each of the following grounds:

The first amendment, the fifth amendment, and the Bill of Rights.

Mr. TAVENNER. Were you a member of the Communist Party from 1939 until 1947?

Mr. ALEXANDER. I respectfully refuse to answer on each of the following grounds:

The first amendment, the fifth amendment, and the Bill of Rights.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. ALEXANDER. I respectfully refuse to answer on each of the following grounds:

First amendment, fifth amendment, and the Bill of Rights.

Mr. TAVENNER. Mr. Chairman, there are other matters that I desire to question this witness about, but in view of the position he has taken in answer to the questions I have asked, I see no point in following the matter further at this time, though I may want to recall him at some later time.

So, that's all I desire to ask.

Mr. DOYLE. Then is it your request that the witness be excused at this time?

Mr. TAVENNER. Yes.

Mr. DOYLE. Excused from the subpena at this time?

Mr. TAVENNER. Yes, sir.

Mr. DOYLE. Any questions, Governor?

Mr. TUCK. I have no questions.

Mr. JOHANSEN. I have no questions.

Mr. DOYLE. I have no questions.

Thank you, Counsel, the witness is excused.

Mr. NEIMAN. Thank you, very much.

(Witness excused.)

* * * * * * *

AFTERNOON SESSION

* * * * * * *

Mr. DOYLE. May the record show that the subcommittee reconvened at 1:30 p.m., and that Messrs. Johansen, Tuck, and Doyle are present, therefore, a quorum of the subcommittee.

* * * * * * *

Mr. WHEELER. Before we call the next witness, I have a short report to make to the committee, if it pleases the counsel.

Mr. Chairman, I was directed by the Chair to ascertain certain information concerning Marco Schneck, who appeared as a witness here on Wednesday, and he was directed to reappear this afternoon at 2 o'clock.

Marco Schneck is employed by the UCLA Preventive Medicine Department of the University of California in Los Angeles, and I was to ascertain if this particular unit at UCLA had a Government grant.

I have talked to the person who is the head of this department and I have been advised that they do have a grant from the Government and it is from the National Institutes of Health. There is a considerable grant for equipment, and they are doing research on making or developing some type of medical computer.

Now, it is unclassified. There are 20 persons employed under this grant. The witness, Marco Schneck, is one of the 20 employed under the grant.

I have been further advised by the department head that the employment of Marco Schneck will be terminated May 1.

Mr. DOYLE. Do you have any knowledge as to why Marco Schneck will be terminated from his employment on May 1?

Mr. WHEELER. Mr. Schneck has requested a leave of absence starting May 1, and the department head advised me that there is nothing exceptional about Mr. Schneck's work and he will be terminated rather than granted leave of absence on that date.

I might mention that Marco Schneck is the chairman of the Los Angeles Festival Committee, which is handling the transportation and obtaining the passports for the World Youth Festival in Helsinki, so we can probably reach the conclusion he has taken the leave of absence to go to Helsinki.

Mr. Schneck is here. He was directed to return at 2 o'clock today. The subcommittee can determine what they wish to do.

Mr. DOYLE. Do you want the record to show anything more than we now have?

Mr. TAVENNER. Off the record.

(Discussion off the record.)

Mr. DOYLE. The committee will come to order. May the record show that the Messrs. Tuck and Johansen and Doyle are present, therefore, a quorum of the subcommittee.

Proceed, Counsel.

TESTIMONY OF MARCO SCHNECK, ACCOMPANIED BY COUNSEL, CLAUDE V. WORRELL—Resumed

Mr. TAVENNER. Mr. Schneck, you were requested by the committee to report back this afternoon.

The committee has made a further investigation regarding your employment, and you should be reminded that you are still under oath.

Mr. SCHNECK. This is continuing testimony?

Mr. TAVENNER. Yes. As a result of this investigation, it has been learned that you are employed in a department of UCLA known as the Preventive Medicine Department; that that department is receiving a substantial grant from the Government of the United States for work being done; and that you are one of 20 persons who are engaged in the work involved as a result of that grant. Is that correct?

Mr. SCHNECK. I decline to answer that question on the grounds of all the privileges, responsibilities, immunities, and guarantees offered by the Constitution of the United States, and most particularly the first, fourth, fifth, and ninth amendments.

Mr. TAVENNER. It has also been learned by the committee that you have applied for leave of absence beginning May 1, so I want to inquire from you whether you have made application for a passport to engage in foreign travel?

Mr. SCHNECK. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Do you propose to engage in foreign travel within the next 6 months? [1]

Mr. SCHNECK. I decline to answer that question on the grounds previously stated.

[1] Mr. Schneck had been issued a passport on December 2, 1959, which was valid until the end of 1962. He had, nevertheless, applied for a new passport in 1961, and this application was rejected by the State Department. He did not go to the Eighth World Youth Festival in the summer of 1962, although the committee had received information that he originally planned to travel to Helsinki as a member of the southern California delegation.

Mr. JOHANSEN. Mr. Chairman, I ask that the Chair direct the witness not to take notes during the testimony.

Mr. DOYLE. That is right; his counsel is doing it. One ought to be enough.

Mr. SCHNECK. Are you directing me not to take notes?

Mr. DOYLE. Yes. I think the questions being directed to you deserve your fullest attention, and you certainly are not giving it when you are sitting there scribbling notes.

Your counsel is also taking notes and that ought to be sufficient. We are entitled to your attention.

Mr. TAVENNER. I have no further questions.

Mr. TUCK. I have no questions.

Mr. JOHANSEN. I have no questions.

Mr. DOYLE. I have no questions.

Witness is excused. Thank you, Counsel.

(Witness excused.)

* * * * * * *

Mr. DOYLE. Is there anything else, Counsel, that you wish? If not, the subcommittee is in recess.

(Whereupon, at 4:30 p.m., the subcommittee closed the Los Angeles hearings on Friday, April 27, 1962.)

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